

**U.S.-PAKISTAN RELATIONS: ASSASSINATION,  
INSTABILITY AND THE FUTURE OF U.S. POLICY**

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**HEARING  
BEFORE THE  
SUBCOMMITTEE ON  
THE MIDDLE EAST AND SOUTH ASIA  
OF THE  
COMMITTEE ON FOREIGN AFFAIRS  
HOUSE OF REPRESENTATIVES  
ONE HUNDRED TENTH CONGRESS  
SECOND SESSION**

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## C O N T E N T S

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	Page
<b>WITNESSES</b>	
Christine Fair, Ph.D., Senior Political Scientist, Rand Corporation .....	10
Ashley J. Tellis, Ph.D., Senior Associate, Carnegie Endowment for International Peace .....	29
Ms. Lisa Curtis, Senior Research Fellow, Asian Studies Center, The Heritage Foundation .....	38
<b>LETTERS, STATEMENTS, ETC., SUBMITTED FOR THE HEARING</b>	
The Honorable Gary L. Ackerman, a Representative in Congress from the State of New York, and Chairman, Subcommittee on the Middle East and South Asia: Prepared statement .....	3
Christine Fair, Ph.D.: Prepared statement .....	14
Ashley J. Tellis, Ph.D.: Prepared statement .....	31
Ms. Lisa Curtis: Prepared statement .....	40
<b>APPENDIX</b>	
The Honorable Sheila Jackson Lee, a Representative in Congress from the State of Texas: Prepared statement .....	75
The Honorable Joe Wilson, a Representative in Congress from the State of South Carolina .....	76

## **U.S.-PAKISTAN RELATIONS: ASSASSINATION, INSTABILITY AND THE FUTURE OF U.S. POLICY**

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**WEDNESDAY, JANUARY 16, 2008**

HOUSE OF REPRESENTATIVES,  
SUBCOMMITTEE ON THE MIDDLE EAST  
AND SOUTH ASIA,  
COMMITTEE ON FOREIGN AFFAIRS,  
*Washington, DC.*

The subcommittee met, pursuant to notice, at 2 o'clock p.m. in room 2141, Rayburn House Office Building, Hon. Gary L. Ackerman (chairman of the subcommittee) presiding.

Mr. ACKERMAN. The subcommittee will come to order. On December 27th, former Pakistani Prime Minister Benazir Bhutto was assassinated and 20 of her supporters were killed by a suicide bomber as she left a peaceful political rally. That blast not only plunged Pakistan into chaos, it also blew away Bush administration policy. The blinding flash that accompanied the explosion illuminated the narrowness of a policy that relied on individual personalities instead of broad based institutions, and on tactical adjustments instead of long range strategic goals. And for anyone who has not been paying attention, the blast was just the latest in a long string of attacks announcing that extremists have turned their sights on the Government of Pakistan and anyone who gets in their way will be eliminated.

Two thousand and seven was a year filled with violence and political instability in Pakistan. In March, President Musharraf fired the Chief Justice and sparked angry protests by lawyers not ordinarily noted for turning out in the streets and hurling stones at police. After the Supreme Court reinstated the Chief Justice, President Musharraf insisted on pursuing his reelection as President even though he was still Chief of Staff of the Army. Many in Pakistan's civil society viewed this as unconstitutional. So to avoid a widely assumed decision by the Supreme Court to nullify Musharraf's candidacy, he imposed emergency rule, fired all the judges, arrested democracy and civil society activists, restricted the media, and unilaterally amended the constitution to protect himself and his candidacy for President.

While President Musharraf was busy roiling the political waters of Pakistan, the extremists went about their business. The Lahore-based Pak Institute for Peace Studies recently issued a report which counted 1,442 terrorist attacks, incidents of political violence, and border clashes last year. These attacks along with Paki-

stani military operations in western Pakistan left 3,448 people dead. Benazir Bhutto's assassination in Pakistan was the exclamation point on what was a very deadly year.

What is clear is that before Pakistan devolves any further into chaos and violence, United States policy has to change. It is obvious that the administration's reliance on President Musharraf to bring democracy to Pakistan while fighting against the extremists has not worked. There has been neither success against terrorism nor a return to democracy. The United States needs a new approach to Pakistan that puts as much emphasis on building stable, free and moderate institutions as it does on fighting terrorists.

The foundation for such a policy is already there. A recent survey done by the United States Institute for Peace and World Public Opinion shows that Pakistanis overwhelmingly view having elected leadership as important. The support for democratic governance is there. What is missing is any faith that the current government institutions operate in a way that will benefit ordinary Pakistani citizens.

The Bush administration needs to build on the Pakistani view of the importance of democracy, and it needs to start by insisting that the elections on February 18th are free and fair. I agree with those who argue that this will be difficult to achieve, especially since the Election Commission and the courts were stacked by Musharraf while Pakistan was under emergency rule. But at a minimum, the moderate political parties should be allowed to fully participate so there is not a repeat of the 2002 elections when the Islamist parties fared better than at any previous point in Pakistan's history. International monitors must be allowed to observe the process and should not be encumbered by the 150 pages of rules and restrictions recently issued by the government. And lastly, the media restrictions that remained in place after emergency rule was lifted should be removed. Not allowing anyone to comment or report critically on the government removes a major check on those who would seek to falsify the results.

While these steps will go far, a credible investigation of former Prime Minister Bhutto's assassination will also help restore some level of trust in government. Otherwise, Ms. Bhutto's death will become the province of conspiracy theorists and just another in the long line of mysterious deaths of Pakistani leaders.

Along with these steps, the fight against terror must continue, but something fundamental must change. The Pakistanis must come to see this fight as their own. They must come to view the suicide attacks against police, the military, government ministers and moderate political leaders—attacks in which many thousands of innocent Pakistanis have been killed—as attacks against them, against their state, against their institutions, and against their democracy. I fear that until Pakistanis come to this realization that no government in Pakistan, elected or otherwise, will have the political legitimacy to fight terror in a more aggressive and successful manner.

Lastly, I believe that we should undertake a fundamental reappraisal of United States assistance to Pakistan. We have for too long provided the military with the bulk of our assistance and neglected assistance aimed at building and strengthening democratic

institutions. I am not suggesting that we cut all military assistance. It is clear that we need to help Pakistan acquire the capabilities necessary to fight the extremists, capabilities, by the way, that Pakistani officials tell us that they need. But when I see them using their national funds to purchase F-16s or anti-submarine surveillance planes, I can't help but wonder whether they don't have another enemy other than terrorism in mind.

The United States needs to be clear that our first, second and third priorities will focus on counterinsurgency equipment and training, whether we are using FMF or authorizing commercial sales that provides the Pakistanis with the counterterrorism capabilities that they need.

The United States is at a crossroads with regard to Pakistan. It is clear that despite the deaths of many, many Pakistani soldiers and police the fight against terrorism has not gone away as we would have hoped. It is equally clear that Pakistan is no closer to genuine democracy and arguably a good bit further away. It is time to change course and build a new and different relationship with Pakistan.

I would now like to turn to my good friend from Indiana, Mr. Pence, for any opening remarks that he might care to make.

[The prepared statement of Mr. Ackerman follows:]

**PREPARED STATEMENT OF THE HONORABLE GARY L. ACKERMAN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW YORK, AND CHAIRMAN, SUBCOMMITTEE ON THE MIDDLE EAST AND SOUTH ASIA**

The Subcommittee will come to order. On December 27 former Pakistani Prime Minister Benazir Bhutto was assassinated and 20 of her supporters were killed by a suicide bomber as she left a peaceful political rally. That blast not only plunged Pakistan into chaos, it also blew away Bush Administration policy. The blinding flash that accompanied the explosion illuminated the narrowness of a policy that relied on individual personalities instead of broad-based institutions and on tactical adjustments instead of long-range strategic goals. And for anyone who hasn't been paying attention, the blast was just the latest in a long string of attacks announcing that extremists have turned their sights on the government of Pakistan and anyone who gets in their way will be eliminated.

2007 was a year filled with violence and political instability in Pakistan. In March President Musharraf fired the Chief Justice and sparked angry protests by lawyers not ordinarily noted for turning out in the streets and hurling stones at police. After the Supreme Court reinstated the Chief Justice, President Musharraf insisted on pursuing his re-election as President even though he was still Chief of Army Staff. Many in Pakistan's civil society viewed this as unconstitutional and so to avoid a widely assumed decision by the Supreme Court to nullify Musharraf's candidacy, he imposed emergency rule, fired all the judges, arrested democracy and civil society activists, restricted the media and unilaterally amended the constitution to protect himself and his candidacy for President.

While President Musharraf was busy roiling the political waters of Pakistan, the extremists went on about their business. The Lahore-based Pak Institute for Peace Studies recently issued a report which counted 1,442 terrorist attacks, incidents of political violence and border clashes last year. Those attacks along with Pakistani military operations in Western Pakistan left 3,448 people dead. Benazir Bhutto's assassination in Pakistan, was the exclamation point on what was a very deadly year.

What is clear is that before Pakistan devolves any further in chaos and violence, U.S. policy has to change. It is obvious that the Administration's reliance on President Musharraf to bring democracy to Pakistan while fighting against the extremists has not worked. There has been neither success against terrorism nor a return to democracy. The United States needs a new approach to Pakistan that puts as much emphasis on building stable, free and moderate institutions as it does on fighting terrorists.

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Along with these steps, the fight against terror must continue, but something fundamental must change—Pakistanis must come to see this fight as their own. They must come to view the suicide attacks against the police, the military, government ministers, and moderate political leaders, attacks in which many thousands of innocent Pakistanis have been killed, as attacks against them, against their state, against their institutions, and against their democracy. I fear that until Pakistanis come to this realization no government in Pakistan, elected or otherwise, will have the political legitimacy to fight terror in a more aggressive and successful manner.

Lastly, I believe we should undertake a fundamental reappraisal of U.S. assistance to Pakistan. We have for too long provided the military with the bulk of our assistance and neglected assistance aimed at building and strengthening democratic institutions. I'm not suggesting that we cut all military assistance, it is clear that we need to help Pakistan acquire the capabilities necessary to fight the extremists, capabilities, by the way, that Pakistani officials tell me they need. But when I see them using their national funds to purchase F-16's or anti-submarine surveillance planes, I can't help but wonder whether they don't have an enemy other than terrorism in mind. The United States needs to be clear that our first, second and third priorities will focus on counter-insurgency equipment and training, whether we are using FMF or authorizing commercial sales, that provides the Pakistanis with the counter-terrorism capabilities they claim they need.

The United States is at a crossroads with regard to Pakistan. It is clear that despite the deaths of many, many Pakistani soldiers and police, the fight against terrorism has not gone the way we would have hoped. It is equally clear that Pakistan is no closer to genuine democracy and arguably a good bit further away. It's time to change course and build a new and different relationship with Pakistan.

I'd now like to yield to my good friend from Indiana, Mr. Pence for any opening remarks he may wish to make.

**Mr. PENCE.** Thank you, Chairman. Thank you for calling this hearing. Thank you for your yeoman's work on the floor of the House today bringing the issue of Pakistan in the wake of the tragic events of 27 December, 2007, before the Congress.

I also want to welcome this panel, distinguished Americans all. And I would express particular pride at your inclusion of Ms. Lisa Curtis, who is a Hoosier, Fort Wayne, Indiana born and bred, whose career at the Heritage Foundation and with the Senate Foreign Relations Committee is a source of great pride to us in Indiana.

In light of recent events, the already challenging situation in Pakistan has gone from precarious to nearly disastrous. On October 8, 2007, President Pervez Musharraf received a dubious 98 percent of the vote in the parliamentary election. After achieving a tentative agreement with former Prime Minister Benazir Bhutto, Mrs. Bhutto returned from exile on 18 October. Approximately 145

of her supporters were killed in an assassination attempt on that very day.

On November 3rd, 2007, President Musharraf declared a state of emergency in the country which he partially lifted a month later. The former Prime Minister Nawaz Sharif then returned from exile on the 23rd of November. The 28th of November, President Musharraf resigned as Chief of Staff of the Army as the U.S. had long urged, and it appeared at the time that we were headed in the direction of the exercise of democracy. And then of course the tragic and catastrophic assassination of former Prime Minister Benazir Bhutto horrified the world at the end of December.

If we were tempted otherwise, we now need to see Pakistan without illusions. Today the picture is unquestionably bleak, precarious and unsatisfactory. An unpopular and increasingly isolated President clinging to power. An election coming next month whose legitimacy we may all be inclined to doubt. Unclear and limited success against the Taliban, al-Qaeda and other terrorist elements in the Northwest Territories and in the Federally Administered Tribal Areas.

Mr. Chairman, none of us should pretend that President Musharraf's job is easy. As our witness Dr. Tellis points out in his testimony, he has to contend with the old Taliban, the Pakistan Taliban and al-Qaeda among many other threats to his country's stability and his regime. And many of his challenges are our challenges and our success there and in neighboring Afghanistan and in the war on terror still rest on ensuring the overall success of peaceful actors in Pakistan like the late Benazir Bhutto.

Our witnesses seem to agree that the process of democracy, of free and fair elections, must be encouraged by the United States, but that we must not wed ourselves entirely to the prospects of any one individual or any one institution. And that strikes me as common sense.

Our witnesses also make reference to the democratic legitimacy that President Musharraf must recapture if he is to rule with any success. I did note that all of our panelists praised the \$750 million that the United States has committed in development funds to the Federally Administered Tribal Areas, the ungoverned region between Afghanistan and Pakistan. I agree with these sentiments and was pleased to support that funding.

I will never forget a dinner, Mr. Chairman, that I had a few short years ago in Peshawar, arranged by our mission there, with six different tribal leaders from the Federally Administered Tribal Areas. And I will never forget those tribal leaders saying through an interpreter rather repeatedly that if the United States would focus resources beyond Islamabad that all kinds of progress might be possible in the war on terror. I particularly remember one tribal leader saying to me, "If you would invest more in the needs of the people in the tribal areas, you never know who might turn up." And it would be my hope that we would see progress in the war on terror in that region.

We should be clear, there are no easy solutions or quick fixes to the problems in Pakistan. A challenging situation there would be daunting under even the best of circumstances, and these are far from that.

With that, I look forward to hearing from the witnesses and again I wish to commend you, Mr. Chairman, for calling this panel together and this hearing so expeditiously.

Mr. ACKERMAN. Thank you very much. I turn now to the senior member of the full committee, Mr. Berman.

Mr. BERMAN. Mr. Chairman, I don't have any opening statement. I just welcome the witnesses. I notice Dr. Fair is here on behalf of RAND. I first met Dr. Tellis when Doug Bereuter and I went—from the Asia Subcommittee went to RAND and heard him speak. At that time I guess Pakistan has moved from Asia to the Middle East. But good to have all of you with us. Thank you.

Mr. ACKERMAN. Mr. Royce.

Mr. ROYCE. Thank you, Mr. Chairman. I want to thank you for calling this important hearing, and I also want to mention here that I traveled to Pakistan in August. I serve as the ranking member on the Subcommittee on Terrorism and Nonproliferation and Pakistan is a central focus on that front.

Let me say that the loss of Benazir Bhutto makes much more difficult what was already going to be a very difficult challenge, and that is helping Pakistan achieve peace and stability. She took a stand against rising extremism. She pledged to give the IAEA direct access to A.Q. Khan, which is something that many on this committee called for. She was an enemy to al-Qaeda.

Pakistan, as we know, is a Muslim nation that sits at the intersection of Islamist terrorism and nuclear weapons. And Pakistan is a case apart, requiring the sustained attention of not just the United States but the world. And to that end, involvement of Britain's Scotland Yard is welcomed.

A well held election next month empowering those willing to take a stand against extremism can counter those Islamists holding up Bhutto's assassination as a success in their campaign to destabilize Pakistan. Yet even under the best of scenarios this country is going to remain a deeply troubled place. The challenges of rising Islamist militancy, an A.Q. Khan network that still may be active, 60 nuclear weapons, an intelligence agency that has been described as state within a state and frankly that is used frequently as a political police against secular and democratic forces, 12,000 active madrassahs, significant territory beyond the reach of the central government, and lastly a country where for the time being you have a military that owns the state politically and economically from owning banks to airlines to shopping malls to farmland, a country where 1.7 percent of that budget goes to education and 30 percent goes to the military.

So those problems for the time being will remain. I look forward to hearing from our witnesses on the best way to confront these ills. Thank you, Mr. Chairman.

Mr. ACKERMAN. Thank you. Mr. Scott.

Mr. SCOTT. Thank you very much, Mr. Chairman, for having this very timely and important hearing. The situation in Pakistan presents us with the most explosive tinder box situation in world affairs today, to say the least. It is on the edge—as I mentioned in our previous hearing—on the edge if not right at a civil war on various levels.

What I think we need to do here in the United States, however, is to make sure we don't overreact. The situation is already very, very unstable. Violence is creeping up on many levels. Militant groups are out of control and are meandering even closer to the Taliban and al-Qaeda as we speak. We have a government that is teetering on the brink of complete breakdown largely because its leader, Musharraf, is the leading suspect in the minds of many, if not most of the Pakistani people as being the force behind this untimely assassination of former Prime Minister Bhutto.

We have elections that are coming upon that country, and again with the Pakistani people with little belief or credibility in the fairness and the fact that they will be rigged. But sitting on top of this powder keg is this situation of nuclear proliferation.

And so as we move forward with what we here in the United States do, it is my hope that we understand that the thing we must not do is, in our reaction, contribute further to the lack of stability.

So I think that we need to make sure the situation is secure. We need to get to the bottom of exactly where and how this nuclear arsenal is put together. How many? Are they in various parts of the country? If an order is given, do they have to be assembled from this place or that place? And most importantly, is there a contingency plan that, in the event that this government breaks down, that civil war happens, is there a contingency plan for the United States and others around the world to be able to move expeditiously and quickly to control that nuclear arsenal, to see to it that it does not pose an extraordinary threat to world civilization?

Again, very timely. And I think also that we must understand that some of our prior commitments like the F-16 and other military operations are already in place. But beyond that, as the chairman has said, we have got to ask some very serious questions going forward. How much of our aid should be placed in military operations? Not at the expense of that, but are we putting enough into where the issue has to be resolved, which is in the political? Which is in building the ground blocks to put a democracy in place with the full support of the majority of the people?

And finally, the question: Can that be done with Musharraf, or are we putting all of our eggs in one basket that might be the wrong basket in the eyes of the majority of the people of Pakistan?

Thank you, Mr. Chairman.

Mr. ACKERMAN. Mr. Rohrabacher.

Mr. ROHRABACHER. Thank you very much and thank you for calling this very timely hearing. I have been deeply involved with policy development for this part of the world since the 1980s when I worked at the White House with Ronald Reagan. Let me just note that American policy since the 1980s has been irrational and it has been so flawed that I believe that it has led us to what is now this current near-crisis in Pakistan.

First and foremost, America I believe over these last 3 decades has been manipulated by Pakistani intelligence and Pakistani military leaders, as well as by Saudi Arabia, which has had its own agenda in Pakistan, been supporting systems that will lead to a more radicalization of the population of Pakistan. In fact they targeted the people of Pakistan, and this is one notion that has been totally wrong and the United States has been operating all of these

years under the assumption that the people of Pakistan are inclined to be radical Islamists and thus our enemies, when in fact the military and the ISI have been the greatest allies of radical Islam in that country and that the general population is far less inclined toward accepting the radicals and far more inclined toward democracy than is the military who we have been supporting.

This is something that we need to look at and that policy needs to change dramatically and those policy flaws need to be exposed to the American people of the mistakes that we have made by putting our faith in people like Musharraf and the ISI. And this has happened, even during the Reagan years we permitted the intelligence service to hand out all of our aid to the mujahedin which had serious negative consequences than if we had handled it ourselves.

Again, the assassination of Benazir Bhutto brings all this home. Benazir Bhutto was a friend. Let us note that during the Reagan years in his move toward democracy and against communism, Benazir Bhutto did return during that time period to Pakistan. And it is a very sad thing, and I have met her many times, to know that she has been murdered in the way it has.

Where do we stand right now? I will leave it with this. I am looking forward to the testimony today, but I have come to the conclusion that President Musharraf, who is actually "General Musharraf" whether he is in uniform or not, should step down from all office and should run for office as a candidate rather than as someone who holds power now. The election should be postponed for 6 months in order to give the people of Pakistan a chance to organize themselves politically and give the people of that country a real choice. And during that time period a government of national unity should be put in place as temporary overseers and no one who is part of that government should be part of a new government that is formed.

So we need to make some serious decisions and change the policy we have had in the past, and we need to back the forces of democracy in Pakistan rather than putting our faith in generals like Musharraf and murky organizations like the ISI.

Thank you very much.

Mr. ACKERMAN. Mr. Costa.

Mr. COSTA. I thank you too, Mr. Chairman, for the timeliness of this important hearing this afternoon.

I share many of the comments that were made by my colleagues in their opening statements. But as we say, I would like to cut to the chase and give our very esteemed witnesses an opportunity to tell us really where we are today.

I am very interested in your testimony to get your take on the current scheduled elections, whether they should be postponed. I am very interested in whether or not you think this will move into some type of coalition government and how you think that coalition government would in fact operate, if in fact that is the end result of the elections.

I am interested in where you think the interim stability and security lies as it relates to Pakistan today, given all of the other countervailing forces that are impacting Pakistan, both from within and from without as it relates not only to the territories but also

to the situation with India, the situation with Iran, and of course their role in this war on terrorism.

And finally, it seems to me, having been there as many of my colleagues have been there, until we can reach some level of stability to allow for a level of economic growth, notwithstanding what has occurred in recent years, I think it is going to be very difficult to get the Pakistani people to truly feel like this government gives them an opportunity to serve and that some level of corruption could be reduced.

So I am interested in the testimony of the three witnesses in all of those areas, as I know my colleagues are. At this point, I will defer to the next member of the dais.

Mr. ACKERMAN. Mr. Burton?

Mr. BURTON. Thank you, Mr. Chairman. I will be very brief. There are a lot of problems in Pakistan. There is a lot of uncertainty. The one thing that we do know though is that they have nuclear weapons and it is very, very important that we assist in making sure that this country is stable and that the nuclear weapons don't fall into the wrong hands and we have terrorists or terrorist sympathizers controlling them.

President Musharraf, although there are many problems and we have many concerns about some of the things that have been done, has been an ally of the United States of America. And I understand the concerns that my colleagues have but he has been an ally. And until it is proven otherwise, I think we should give them the benefit of the doubt and the support that is necessary so that we have an ally and a friend and stability reigns over there.

Down the road, things may have to change. I don't know. But right now President Musharraf is the only game in town and we ought to be supporting him.

Mr. ACKERMAN. Mr. Crowley.

Mr. CROWLEY. Mr. Chairman. Thank you, and thank you for allowing me to sit in. I thank you for the timeliness of this hearing and congratulate you and the ranking member for holding it today. And I would just, having had a tremendous interest in South Asian affairs generally speaking, primarily with India and Bangladesh, it was once said that Bangladesh was the basket case country. I think unfortunately Pakistan in many respects is taking that title, and I think it left Bangladesh many years ago, but is certainly taking that title today. The only difference, as Mr. Burton has pointed out, Pakistan has nuclear weapons and nuclear power and has a radical militant presence in abundance within that country, which has us all concerned. Certainly, the assassination of Ms. Bhutto has escalated an unstable position within that country to a further degree.

And I know that we have supported, our country has supported military dictatorships in the past when it has suited our needs. If a country is supporting us in our democracy role, the better for it. But we seem to be willing—and I think much to our detriment—to support countries that are not fully participants within the democratic experiment and that, I think, is coming back to haunt us more and more. We have seen it in Iraq, and prior to that in Iran, and now we are seeing it in Pakistan as well. And I think the American people are beginning to wane in terms of their will-

ingness to support regimes like the one that President Musharraf has maintained.

So I look forward to hearing the dialogue of our expert witnesses today. I think we could all stand to learn what some of the think tanks are thinking at this point in time. So I thank you, Mr. Chairman and I yield back.

Mr. ACKERMAN. Any other member seek recognition?

The Chair would announce that in light of the fact that there are six pending votes, we will, rather than begin and interrupt, have a larger interruption and proceed to the floor. We will recess the committee subject to the call of the Chair, with the advice to our witnesses, members and guests that this will take at least 1 hour. We stand in recess.

[Recess.]

Mr. ACKERMAN. The subcommittee will come to order. Being no further members who wish to be recognized, I will proceed to recognizing our very distinguished, patient panel.

Dr. Christine Fair is a senior political scientist with the RAND Corporation. Before rejoining RAND, Dr. Fair served as a political officer with the United Nations Assistance Mission to Afghanistan in Kabul and is a senior research associate to the United States Institute for Peace Center for Conflict Analysis and Prevention. Dr. Fair has authored or co-authored several books and numerous articles on a range of security related issues in South Asia. In addition, Dr. Fair is a member of the International Institute for Strategic Studies in London and is a managing editor of India Review.

Dr. Ashley Tellis is a senior associate for the Carnegie Endowment for International Peace. He was until recently on special assignment to the State Department as a senior adviser to Under Secretary for Political Affairs Nick Burns. Dr. Tellis was also commissioned into the Foreign Service and served as a senior adviser to the U.S. Ambassador in New Delhi. Dr. Tellis has also served on the National Security Council staff as a special assistant to the President and Senior Director for Strategic Planning in Southwest Asia. Prior to his government service, Dr. Tellis was a senior policy analyst at the RAND Corporation.

Ms. Lisa Curtis is a senior research fellow on South Asia at the Heritage Foundation focusing on America's economic security and political relationships with South Asia. Before joining Heritage she worked on the Senate Foreign Relations Committee as a professional staff member, handling the South Asia portfolio for Senator Lugar, the former chairman of the committee. From 2001 to 2003 she served as senior adviser to the State Department's South Asia Bureau, where she advised the Assistant Secretary for South Asia on India-Pakistan relations.

Welcome to Dr. Fair and Dr. Tellis, and welcome back to Ms. Curtis. Without objection, each of your full statements will be made part of the record. And please summarize your remarks, if you will. And we will begin with Dr. Fair.

**STATEMENT OF CHRISTINE FAIR, PH.D., SENIOR POLITICAL SCIENTIST, RAND CORPORATION**

Ms. FAIR. Thank you, Mr. Chairman, for inviting me to participate in today's hearing about Pakistan. To clarify, these comments

largely draw from my work done at USIP as I have only recently rejoined RAND.

Pakistan is a crucial ally of the United States, yet it is mired in instability and uncertainty, threatening key United States interests; namely, denying the Taliban and allied militants the use of Pakistani territory as a sanctuary, degrading the ability of a wide array of militants to launch attacks in Pakistan, the region, and indeed throughout the world in fostering greater confidence in Pakistan's command and control arrangements for its nuclear assets. Without a legitimate, democratically elected government, the leader that may emerge from the February elections, should those elections take place at all, will be unable to lead his country in counterterrorism activities that are needed not only for regional security but for that of Pakistan itself.

In the short term, the United States should work toward a democratic transition in Pakistan, not merely a democratic patina for President and General Musharraf. This will likely require creating incentives for the Musharraf government to remove the numerous barriers to maximally free and fair elections and to pursue conciliation with the political parties and civil society. The United States should support and indeed insist upon reinstating the judiciary, forging an acceptable election commission and securing a voters registration list acceptable to all parties. It should lift restrictions on political parties, the media and election observers, and it should certainly work to minimize electoral violence by providing security to the candidates and their functionaries. And of course the U.S. should insist upon minimal interference of intelligence and police organizations in the election.

Now to be clear, Musharraf is very unlikely to undertake these steps, especially without a clarion statement in public and in private from the administration and from Congress that such measures are expected. The United States should consider engaging other states, such as China, that share many of United States interests, albeit not all, and which have increasing influence in Pakistan's domestic affairs. The United States should work to support institutions and processes and demure from supporting or undermining particular persons or institutions.

As the political situation will most certainly remain turbulent for the foreseeable future, it is imperative that the United States reach out to all political parties, key civilian institutions and civil society groups while sustaining a working relationship with Pakistan's armed forces.

In coming months there will be continued discussions or temptation to restrict or condition various forms of assistance to Pakistan, including military aid. However, I would like to caution against this in the sense that many Pakistanis have the very firm conviction that the United States cuts aid when there is a transition to civilian governance. Instead, the United States should look beyond Musharraf and signal to the emergent leadership that the United States is willing to work with whomever shall emerge as Prime Minister.

However, as expeditiously as possible, the United States should structurally reshape the terms of its assistance to Pakistan while expanding programs that enable the Pakistan armed forces to fight

their war as well as ours through more effective counterinsurgency operations in the provision of other equipment that is desirable for those efforts. Equipment and platforms that are desired by the Pakistanis for their strategic concerns, such as the F-16s for example, should increasingly be contingent upon performance and greater alignment between United States and Pakistani interests. However, while reoptimizing the assistance to the Pakistan military, the United States should dramatically expand programmed assistance to help reform all of Pakistan's civilian institutions. And I have a number of ideas that we can discuss in the Q&A.

In short, the United States must transition from supporting one person and the Army toward supporting key institutions and processes of this critical country under democratic leadership.

With respect to the four areas of inquiry posed to the panel, to state the obvious, maximally free and fair elections are required for near-term stability. With Bhutto's assassination, the clarion need for a stable Pakistan is ever more apparent, as is the realization that President Musharraf is increasingly unable to bring such stability to Pakistan on his own. As detailed in my statement, there are numerous barriers to free and fair elections that remain and which require immediate redress to ensure legitimate elections. However, to be clear, while legitimate elections are a necessary precondition for stabilizing Pakistan in the near term, on their own they are insufficient.

As I detail in my written statement, there are a number of post-election scenarios that could augur even newer forms of instability and those could likely only be preempted by a political rapprochement between Musharraf and the various entities he has alienated. With respect to the implications of the election for Pakistan's leadership and their will to carry out continued counterterrorism efforts, it is only reasonable that we actually acknowledge that Musharraf himself in recent years has been a declining asset in that regard. He has compromised himself politically and he is now subject to widespread unpopularity and increasing demands for his departure from the political scene. His Army is demoralized by years of fighting a war against its own citizens which it does not seem capable of winning, and we have seen the numerous defections that have been reported. The Army and other armed forces have been infiltrated, as attested to by the various attacks by military and civilian targets. More worrisome is the fact that few Pakistanis embrace this war as their own and increasingly see Musharraf not as part of the solution but indeed the problem.

Yet I am optimistic that an elected Prime Minister could be motivated to continue the fight and to mobilize the Pakistani polity as well in this effort. Indeed, with a new Army Chief who is not seen as Washington's acolyte, General Kiyani could be able to rally his armed forces more effectively than Musharraf has been able to in recent years should he find it in the interest of the Army and the nation to do so.

With respect to the Federally Administered Tribal Areas, the prevailing situation there I want to emphasize is not an accident. Rather, six decades of successive decision making in Islamabad to deprive FATA of necessary human development resources and political liberalization has been the basic cause of the problem that

we now confront in FATA. Its refusal to dismantle a colonial era governance system has encouraged, not mitigated the rise of militant leaders who have risen up through the meritocracy of jihad.

So to be clear, I believe that human development is necessary in FATA. As the Pakistan Government itself has argued, human development is likely to be critical to achieving a political solution there. But as I detail in my written statement, my concern is that these investments without the eventual abolition but certainly reform of the frontier crimes regulation and the extension of the Political Parties Act to FATA, these investments could likely strengthen militancy, produce stronger military control, more extremism and less security. And I was concerned and remain so that Washington has not intimated the need for political reforms, and not only that, it didn't even consider making political reforms contingent or as a necessary prerequisite for the funding to go forward.

Finally, with respect to the Pakistan military—I am going to defer to Ashley who can talk far more authoritatively than I can on nuclear command and control issues. I have been concerned in recent years about the pervasive belief throughout the United States Government that Pakistan's Army is a modernizing and secularizing force for Pakistan, which in some measure explains the continued preference to support Musharraf against the demands of ordinary Pakistanis. But for reasons detailed in my statement, there are strong reasons to believe that the current Pakistan Army is increasingly anti-American, increasingly conservative, and we know from the recent conspiracies and duress in Pakistan that there are critical pockets of terrorist infiltration among the civilian and military personnel of the armed forces as well as among the ranks and low and mid-level officers. These historical and recent trends should caution the United States against tightly aligning itself with an institution it does not and indeed cannot understand.

And with those remarks, sir, I thank you for your time.

[The prepared statement of Ms. Fair follows:]

## TESTIMONY

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### U.S.-Pakistan Relations

#### *Assassination, Instability, and the Future of U.S. Policy*

C. CHRISTINE FAIR

CT-297

January 2008

Testimony presented before the House Foreign Affairs Committee,  
Subcommittee on the Middle East and South Asia on January 16, 2008

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 The RAND Corporation

*U.S.-Pakistan Relations  
 Assassination, Instability, and the Future of U.S. Policy<sup>2</sup>*

Before the Foreign Affairs Committee  
 Subcommittee on the Middle East and South Asia  
 United States House of Representatives

January 16, 2008

Thank you, Mr. Chairman, for inviting me to participate in today's hearing about Pakistan.<sup>3</sup> Pakistan is perhaps the most important U.S. partner in the war on terrorism. Not only has Pakistan lost more personnel in this conflict than any other ally, critical fuel for vehicles and aircraft used in the war effort in Afghanistan moves through Pakistan without problem. Without this logistical support, both Operation Enduring Freedom and NATO operations in Afghanistan would prove very difficult to sustain without interruption. While there is no doubt that Pakistan is a crucial ally of the United States, it is a state mired in instability and uncertainty. This raises questions about the will and capacity of Pakistan's leadership to remain engaged in the war on terrorism.

Both Washington and Islamabad have made decisions that have precipitated this current crisis. For Washington's part, by focusing upon President and former Chief of Army Staff Pervez Musharraf and by acquiescing to his various extra-constitutional moves, it has alienated further the Pakistani polity who harbor various suspicions about the United States and its intentions.<sup>4</sup> As is well known, the bulk of \$10 billion in U.S. monies to Pakistan since 9/11 has been comprised of coalition support funds and other forms of military assistance. Indeed, there is an implicit assumption that President Musharraf and his purportedly secular army can help secure Pakistan's future as a moderate Islamic state as encapsulated in President Musharraf's much-

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<sup>1</sup> The opinions and conclusions expressed in this testimony are the author's alone and should not be interpreted as representing those of RAND or any of the sponsors of its research. This product is part of the RAND Corporation testimony series. RAND testimonies record testimony presented by RAND associates to federal, state, or local legislative committees, government-appointed commissions and panels, and private review and oversight bodies. The RAND Corporation is a nonprofit research organization providing objective analysis and effective solutions that address the challenges facing the public and private sectors around the world. RAND's publications do not necessarily reflect the opinions of its research clients and sponsors.

<sup>2</sup> This testimony is available for free download at <http://www.rand.org/pubs/testimonies/CT297/>.

<sup>3</sup> This testimony is based on my expertise on Pakistan and while I have recently rejoined RAND, most of this discussion today is derived from my research at the United States Institute of Peace. I would like to thank Husain Haqqani and Polly Nayak who provided feedback on earlier drafts of this statement.

<sup>4</sup> For survey results about Pakistani views of U.S. policies and intentions, see C. Christine Fair, Clay Ramsay and Steven Kull, "Pakistani Public Opinion on Democracy, Islamist Militancy, and Relations with the U.S." (Washington D.C.: PIPA, USIP, January 7, 2008).

lauded notion of Enlightened Moderation.<sup>5</sup> Relatively little of this assistance has been enjoyed by ordinary Pakistanis who increasingly doubt the U.S. commitment to Pakistan and Pakistanis and perilously few resources have been devoted to strengthening Pakistan's emaciated civilian institutions.<sup>6</sup>

For Islamabad's part, President Musharraf has increasingly sought to secure his political position and has imposed excessive constraints upon an ever-more mobilized civil society, who should be important partners in fighting extremism in Pakistan. At the same time, Musharraf has shown his incapacity to both control the Islamist violence that is roiling his country and to lead his country to fight it. Inept, ill-prepared and heavy-handed military operations in the tribal areas and adjacent Pashtun localities have spawned seething resentment towards the Pakistani state and animated a wider Islamist cum Pashtun militancy which has been exacerbated by infrequent but deadly U.S. unilateral military strikes. It is worth mentioning that the Pakistani armed forces underook these operations under immense U.S. pressure. U.S. expectations about the timing of the operations and their potential outcome relied upon a number of erroneous assumptions about Pakistan's capabilities. This should occasion reflection about U.S. expectations and how well it understands the capacities of this important partner.

In recent years the chasm between American interests and those of President Musharraf has dramatically expanded. Specifically, the United States would like to see stability, consistent action against al Qaeda and Taliban forces operating in and from Pakistan, greater efforts to curb a wide array of Islamist militant groups in the country and most recently greater moves towards at the least the procedures of democracy if not the substance. It has become clear in recent years that President Musharraf, while he may share some of these concerns, has increasingly become focused upon securing his personal future—not that of Pakistan. This has compelled him to pursue policies of appeasement towards Islamists and militants alike while marginally satisfying the United States with respect to war on terrorism. By late 2004, Musharraf's ability to crackdown upon Islamist militants operating throughout the country seemed suspect and remains so. In recent years, journalists, military and intelligence officials and some analysts have increasingly noted with dismay the sanctuary that al Qaeda, Taliban and Kashmir-focused militant organizations enjoy and some analysts have even accused the state of active support of these organizations.<sup>7</sup>

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<sup>5</sup> Pervez Musharraf, "Time for Enlightened Moderation," June 2, 2004. <http://www.presidentofpakistan.gov.pk/EnlightenedModeration.aspx>.

<sup>6</sup> For various discussions of U.S. assistance, see Craig Cohen, "When \$10 Billion is Not Enough: Rethinking U.S. Strategy Towards Pakistan," *The Washington Quarterly*, Vol. 30, No. 2 (Spring 2007), C. Christine Fair and Peter Chalk, *Fortifying Pakistan: The Role of U.S. Security Assistance* (Washington: USIP, 2006); Craig Cohen, *A Perilous Course: U.S. Strategy and Assistance to Pakistan* (Washington: CSIS, 2007).

<sup>7</sup> Seth G. Jones, "Pakistan's Dangerous Game," *Survival*, Vol. 49, No. 1, 2007, pp. 15-32.

With Bhutto's assassination, the clarion need for a stable Pakistan is ever more apparent as is the realization that President Musharraf is increasingly unable to bring such stability to Pakistan on his own. Moreover, even if Pakistan's security elites were to recognize that Pakistan's future is imperiled by the militant groups menacing Pakistan and embrace the war on terror as its own and take decisive action against *all* militant groups active in the country, the current government enjoys little legitimacy among Pakistanis. Without popular legitimacy and support, Musharraf will be unable to convince his country that Pakistan is struggling for its own survival-not his.

Thus there is urgent need to reconsider the lineaments of the U.S-Pakistan relationship and the reciprocal expectations that each state holds of the other. I concede that it is difficult to re-imagine the terms of the relationship given the tendency to assume that stasis is tantamount to stability. However, pursuit of the status quo will likely put the United States and Pakistan on a course of greater conflict *not less* and will undermine, *not buttress*, the prospects for a stable and prosperous Pakistan which is in the supreme interest of Pakistanis and Americans.

With this important background firmly in mind, I would like to address some of the immediate concerns expressed by this committee, including: the likelihood of free and fair elections; potential for civil unrest and stability should the elections appear to be fraudulent; and the likelihood that the new prime minister's government will vigorously pursue counter-terrorism objectives. I have also been asked to discuss developments in the Federally Administered Tribal Areas (FATA)<sup>8</sup>, including the planned investments of \$750 million as well as to comment upon the risk that the current situation poses for Pakistan's nuclear assets. However, in addition, I would also like to offer some near-term and long-term suggestions about how the United States should move forward in forging a relationship with Pakistan and its peoples rather than a relationship with President Pervez Musharraf and the Pakistan army.

#### **Maximally Free and Fair Elections Required for Near-term Stability**

While President Musharraf always sought to undermine and eviscerate his political nemeses and their parties (Benazir Bhutto and her Pakistan People's Party and Nawaz Sharif and his Pakistan

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<sup>8</sup> Pakistanis make the distinction between the "tribal areas" and "settled areas." The former is comprised of seven "Tribal Agencies" (e.g. Khyber, Kurram, Bajaur, Mohmand, Orakzai, North and South areas of Waziristan) and six Frontier Regions (FR) (FR Peshawar, FR Kohat, FR Tank, FR Banu, FR Lakki and FR Dera Ismail Khan). The Tribal Areas are governed by a colonial-era legal framework called the Frontier Crimes Regulation (FCR) and reside outside of Pakistan's constitutional legal framework. This system persists despite 60 years of independence and despite rulings in Pakistan's high courts that the FCR is unconstitutional. In contrast, the "settled areas" are those areas in which Pakistan's legal system applies. While Pakistanis may tolerate some kinds of destabilizing behavior in the "tribal belt" owing to cultural perceptions about Pashtuns in those areas, Pakistanis are alarmed when militancy and obscurantism reaches the settled areas as exemplified by the Red Mosque affair.

Muslim League-N), 2007 witnessed a dramatic escalation of efforts to secure his personal support base at the expense of Pakistan's civilian institutions. His March 2007 ousting of Supreme Court Justice Iftikhar Mohammad Chaudhry sparked a surprising mobilization of civil society and concomitant crackdown upon the same. Mounting concerns about Musharraf's ever-eroding power base galvanized U.S. efforts to broker a rapprochement between Benazir Bhutto and President Musharraf in hopes that Musharraf could drape himself in her electoral legitimacy. The confrontation between the state and civil society persisted throughout the summer increasing demands for Musharraf to step down at least as army chief if not as president. Despite opposition from widening corners, Musharraf pushed through his extra-legal re-election in October through Pakistan's electoral college.

Fearing that the Supreme Court would vacate that victory, on November 3, Musharraf declared a state of emergency through a Provisional Constitutional Order (PCO). Thousands of lawyers, political party activists, reporters and human rights activists were detained while high-value Taliban activists were exchanged for Pakistani military and paramilitary personnel taken hostage in August. Moreover, 17 Supreme Court and more than 40 High Court judges refused to take an oath to the PCO and were fired. This left the courts stacked with judges who would acquiesce to if not support Musharraf and his loyalists.<sup>9</sup>

On November 19, he announced the elections would be held on January 8 and on November 28<sup>th</sup>, he stepped down as Army Chief. On December 15, he lifted the emergency and restored the constitution. However, before doing so, he promulgated six Constitutional amendments using executive power.<sup>10</sup>

These extra-constitutional and other policies of the Musharraf government rendered free and fair elections in January 2008 improbable. All of these impediments are in place today, but after Bhutto's death, their import is even more salient for the proposed February elections. As these issues have been covered elsewhere, I will note the most prominent here only briefly. This list is not meant to be exhaustive.

<sup>9</sup> The "emergency" declared by Musharraf differed substantially from the emergency provision authorized in article 232 of Pakistan's 1973 constitution. The constitutionally permitted emergency provides for Pakistan's institutions to remain intact and requires review by Pakistan's Supreme Court. Musharraf's PCO, in contrast, vitiated the judiciary by forcing all judges to swear an oath to it and prohibited any court or judgment from challenging the PCO, the Proclamation of Emergency, the President or his designated functionaries. See Testimony of Mark L. Schneider (Vice President of the International Crisis Group) to the House Committee on Oversight and Government Reform on "Pakistani Elections: Will they be fair and free or fundamentally flawed?", December 20, 2007.

<sup>10</sup> Cariotta Gall, "Musharraf Lifts State of Emergency in Pakistan," *The New York Times*, December 16, 2007; Muhammad Saleh Zafrir, "Musharraf to amend Constitution before lifting emergency," *The News*, December 11, 2007.

- **Compromised Judiciary.** The judiciary will ultimately be called upon to inveigh upon allegations of vote rigging, fraud or other violations of electoral law. Without the reinstatement of those judges who were ousted for upholding the constitution against the PCO, transparent and equitable adjudication of disputes is unlikely.
- **Politicized Election Commission (EC).** The EC is comprised of retired Supreme Court and serving High Court judges from the four provinces. As such, the proper functioning of the EC is hampered by Musharraf's manipulations of the judiciary. The Chief Election Commissioner is charged with appointing Election Tribunals to adjudicate disputes, which in turn are comprised of High Court judges. When their decisions are challenged, the case moves before provincial High Courts and ultimately the Supreme Court. An impartial (EC) is impossible with the current judiciary. Many criticized the EC's rejections of Nawaz Sharif's papers as indicative of its loyalties to Musharraf rather than the electoral process.
- **Dubious voters' registration list.** Millions of voters have been variously missing and/or added without verification. So far, the EC has denied review of the list. (N.B.: The electoral registration process was funded by the United States).
- **Constraints upon the political parties.** Parties' efforts to hold rallies or meetings are highly regulated by the new Code of Conduct for political parties as are their statements about the government, its leaders and its institutions among other issues. This silences debate about the state's problems, which are core issues for politicians everywhere.<sup>11</sup> Political parties are not permitted to operate in the Federally Administered Tribal Areas (FATA), ceding political space to Islamist parties who have access to mosques and madrassahs.
- **Partisan Caretaker Government.** The current caretaker government with its firm Musharraf alignment does not foster confidence in free and fair elections, remains unacceptable to the opposition parties and thus remains a spark for controversy.
- **Restrictive curbs upon the media.** The government has retained prohibitions on media coverage that criticizes the state, its leaders or its institutions. While most major outlets have been permitted to operate, important private media like Geo can only be accessed by the internet or satellite. Pakistani interlocutors contend that Geo will not be restored until after the elections because it has a unique capacity to monitor grass roots developments and to conduct basic exit polling. Popular talk shows on major media have also been suspended as they frequently inveigh upon the political and leadership crisis in the country.
- **Unreasonable restraints on election monitoring missions.** Massive and unprecedented curbs were placed on electoral monitoring missions, compelling both the

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<sup>11</sup> Election Commission of Pakistan, "Notification [of the new Code of Conduct for the General Elections 2007-08], November 20, 2007. <http://ecp.gov.pk/COCFinal.pdf>

International Republican Institute and the National Democratic Institute to abandon plans for monitoring the elections. Equally damning: several long term observers returned with the conviction that the election was already being "cooked," with some noting the intrusive role played by the intelligence agencies and other government functionaries.<sup>12</sup>

- **Inadequate security.** Inadequate security and electoral violence present daunting challenges to free and fair elections.

It is imperative that a credible government emerge from the elections and there is only one way forward: The Musharraf government must immediately address all of these issues, something that it is very unlikely to do without concerted and consistent persuasion from the United States and other international actors.

While maximally free and fair elections are a necessary precondition for stabilizing Pakistan in the near term, the elections alone are insufficient. In the wake of Bhutto's death, there is a surprising solidarity among most of the opposition political parties. If sustained, this alliance could secure a majority of seats in the national assembly. Unless President Musharraf and the emergent prime minister quickly establish a modus vivendi, more instability awaits. In free and fair elections, Musharraf's "King's Party"—the PML-Q—is unlikely to prevail as Musharraf and his party are widely (if unfairly) held accountable for Benazir Bhutto's death. The future prime minister and Musharraf will likely have a hostile and dysfunctional relationship, which may prompt Musharraf to exercise his right to dissolve the national assembly, throwing the country into further political chaos. To pre-empt such moves, the assembly may quickly act to strip the president of his expropriated powers if they have two-thirds majority in the assembly to do so.<sup>13</sup> (They can even strip the constitutional provision permitting his tenure of President as a punitive measure.) Any of these developments could again make the chief of the army, now Gen. Ashfaq Parvez Kayani, as the arbiter between Musharraf and the political parties. This is a role the army is long accustomed to playing. Should maximally free and fair elections produce a Musharraf-friendly candidate, these tensions may be less likely to emerge. However such an outcome is unlikely in the absence of extreme electoral irregularities.

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<sup>12</sup> See among others International Republican Institute, "IRI Pakistan Pre-Election Observation Mission Statement," November 13, 2007. <http://www.iri.org/mena/pakistan/2007-11-12-Pakistan.asp>; National Democratic Institute, "Press Release: Daschle Sees Little Action Thus Far To Ensure Free And Fair Elections In Pakistan," November 20, 2007.

<sup>13</sup> It will require a two-thirds majority to overturn the amendments or to impeach him. However, with a simple majority, they could send the question of the legality of his election back to the courts.

To pre-empt further post-election crises, it is urgent that President Musharraf seek political rapprochement with the major parties, the judiciary, human rights groups and other civil society organizations. Such a process may afford an opportunity for Musharraf to embrace a greater symbolic role and recede from politics without further diminishing his legacy. In contrast, an activist Musharraf is likely to remain a flashpoint in Pakistan's fragile political terrain. Such a process of reconciliation may also afford an opportunity for the political parties and the army to come to an understanding that permits the army to confidently re-focus on its primary task of securing the country while the politicians assume responsibility for the domestic affairs of the state. It should be stressed that a retreat by the army (while perhaps desired) and by Musharraf are unlikely events even if the United States and its allies move swiftly to persuade Musharraf and the army chief to do so.

#### **The Elections Implications for Pakistan's Contributions to the War on Terrorism**

To assess whether or not the elections will favorably affect Pakistan's ability to contribute to the war on terrorism requires an assessment of Musharraf's contributions in recent years. Many analysts believe that he has been a declining asset, deeply compromised by his efforts to simultaneously satisfy numerous persons and entities to secure his political position. His army is demoralized by years of fighting a war against its own citizens which it does not seem capable of winning. Defections have been reported within the paramilitary organizations and within the army itself. The army and other armed forces have been infiltrated as attested to by the various attacks against military targets, including the attempts upon Musharraf's life, the suicide attack against commandos in a mess hall in Tarbela among numerous other incidents. More worrisome is the fact that few Pakistanis embrace this war as their own. Indeed Pakistanis increasingly oppose military operations in the Pashtun belt even though they perceive the groups in question to be threats to their national security.<sup>14</sup>

Instead, Pakistan's effort to counter insurgents in the Pashtun belt and beyond requires political legitimacy, which Musharraf lacks. I am optimistic than an elected prime minister can be motivated to continue the fight. With a new army chief who is not seen as Washington's protégé, General Kiyani may be able to rally his armed forces more effectively than Musharraf.

However, it is critical that the United States communicate the message broadly that it will work with whoever emerges from this process. Thus discussions of aid cut-offs and conditionality are fraught with dangers. Pakistanis note that in the past, the U.S. has been most generous with

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<sup>14</sup> C. Christine Fair, Clay Ramsay and Steven Kull. "Pakistani Public Opinion on Democracy, Islamist Militancy, and Relations with the U.S." (Washington D.C.: PIPA, USIP, January 7, 2008)

military leaders while cutting off aid when civilian leadership returns. This has fostered cynicism among Pakistanis that the United States prefers a democratic Pakistan to one that is dominated by the military. Similarly, it fosters concerns within the Pakistan army that civilian leaders are unable to secure resources for Pakistan's national defense. The need to support whoever may emerge also underscores the danger of supporting particular persons and parties. The return of Nawaz Sharif surprised the administration which had written off Sharif and thrown its weight behind Ms. Bhutto. Thus the United States must engage a broad swathe of political actors to ensure that it has the beginnings of a working relationship with Pakistan's future Prime Minister and other elected officials. These *elected* officials should comprise the focal point of U.S. political engagement while the army continues to enjoy support through military-to-military engagements.

Thus the heroic task before the United States is how it can selectively use aid and military funding to encourage the likelihood of a free and fair election, a military retreat from politics and a gradual evolution of competent and effective politics and politicians in Pakistan. Pakistan's *civilian* leadership must be as important American partners in forging a secure and prosperous Pakistan.

#### **The Federally Administered Tribal Areas (FATA)**

Since 2004, Pakistan witnessed the development of the so-called Pakistani Taliban and an increasing "Pakistanization" of al Qaeda. While "Talibanization" of the tribal areas was limited to North and South Waziristan in 2004, the phenomenon next spread to Bajaur. Pakistan Taliban have emerged in areas that had previously been peaceful, such as Mohmand, Orakzai, and Kurram agencies. They have also emerged in the so-called settled frontier areas of Bannu, Tank, Kohat, Lakki Marwar, Dera Ismil Khan, and Swat. Some analysts have also raised concerns about Chitral.<sup>15</sup>

To win the confidence of FATA residents, the Pakistan government has been requesting development funds for this area for several years. At long last, the United States has agreed to spend some \$750 million in FATA. At this juncture, it is difficult to be optimistic about the impact of these funds. (Perhaps had this funding been available *before* the onset of the wider insurgency

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<sup>15</sup> There is very little scholarly literature on this phenomenon with most coverage taking place in the popular press or security publications. See inter alia Rahimullah Yusufzai, "The Emergence of the Pakistani Taliban," Jane's Information Group, December 11, 2007 available at <http://www8.janes.com>. See also C. Christine Fair, "Pakistan Loses Swat to Local Taliban," *Terrorism Focus*, Vol. 4, No. 37 (2007); Hassan Abbas, "Is the NWFP Slipping out of Pakistan's Control?" *Terrorism Monitor*, Vol. 5, No.22 (2007); Hassan Abbas, "Increasing Talibanization in Pakistan's Seven Tribal Agencies," *Terrorism Monitor*, Vol. 5, No. 18 (2007); Idrees Bakhtiar, "Between the Lines," *The Herald*, (July 2007); Ghafar Ali Khan, "The Lost Frontier," *The Herald*, (July 2007), Owais Tohid, "The New Frontier," *Newsline* (April 2004); Owais Tohid, "The Warrior Tribes," *Newsline* (April 2004); Zahid Hussain, "Al-Qaeda's New Face," *Newsline* (August 2004).

such pessimism would be unwarranted.) Unfortunately, the security environment will render such projects very difficult particularly if the United States seeks to "brand" those developments in effort to garner good will. The United States will have very little ability to monitor the programs' implementation and Pakistani interlocutors are doubtful about the implementing partners of Islamabad's choosing.

Due to the lack of political liberalization in the tribal areas, moving forward with particular projects will involve negotiating with religious and possibly even militant leadership who will benefit financially, politically and socially should they choose to play this role. However, without these interlocutors, projects may be funded that do not serve local needs or preferences (e.g. roads that connect military posts to villages rather than roads that connect villages to markets; girls' schools instead of electricity and water facilities). Some critics of the deal note the paucity of groups that can function in FATA and suggest that the most likely entity to execute large infrastructure projects will be the Frontier Works Organization, an arm of the Pakistan military. Given the expanding insurgency in large swathes of FATA, it may make better sense to move quickly to fund projects in relatively secure areas within FATA as well as the adjacent settled areas. The settled Pashtun areas provide greater visibility because some civil society groups and media can operate there and there is greater security. However, as noted above, the insurgency is quickly moving into these areas and "safe zones" are constricting rapidly.

There is no doubt that development of FATA is critical as it remains the most under-developed region in Pakistan. However, one must understand that successive governments in Pakistan made choices to under-invest there and to ensure that FATA exists outside of the Pakistani legal, social and political mainstream in large part because doing so served the state's interests in various ways. Thus this problem is not simply one of resources, but one of will and sustained state preference.

While there is a rush to allocate funds for development in FATA, neither Washington nor Islamabad has embraced much-needed legal and political reform in FATA. Notably, the colonial-era Frontier Crimes Regulation (FCR), which Pakistan's own high courts have deemed unconstitutional, continues to govern the area with its draconian and illiberal provisions.<sup>16</sup> Recent survey work shows that there is widespread support among urban Pakistanis to reform or abolish the FCR.<sup>17</sup>

<sup>16</sup> International Crisis Group, *Pakistan's Tribal Areas: Appeasing the Militants* (Brussels, Islamabad: International Crisis Group, 2006); Seth G. Jones, Olga Oliker, Peter Chalk, C. Christine Fair, Rollie Lal, and James Dobbins, *Securing Tyrants or Fostering Reform? Evaluating U.S. Internal Security Assistance to Selected Repressive and Transitioning Regimes* (Washington D.C.: OSIRAND, 2006).

<sup>17</sup> C. Christine Fair, Clay Ramsay and Steven Kull, "Pakistani Public Opinion on Democracy, Islamist Militancy, and Relations with the U.S." (Washington D.C.: PIPA, USIP, January 7, 2008)

Similarly, political parties are not allowed to operate in FATA as the problematic Political Parties Act has not been extended there. Failure to extend the act has denied regional and non-Islamist parties the ability to cultivate and mobilize supporters in FATA, while permitting Islamist parties unfettered access to the public through Friday sermons at mosques and through access to FATA's numerous madrassah.<sup>18</sup> Thus, when adult franchise was first exercised in the 1997 elections, the residents of FATA overwhelmingly and without precedent elected religious scholars (ulema) to represent them in the national assembly. Since 1997, FATA has consistently voted for Islamist in the general elections. Without legal reform and political liberalization, I am skeptical that economic investments will help bring the hapless residents of FATA into Pakistan's mainstream society. At some point, FATA must become part of Pakistan's legal, political and social structure. FATA must have functioning police and courts and other amenities that Pakistanis elsewhere enjoy. Thus economic investments need to be accompanied by political liberalization and legal reform.

Another area of recent focus is expanded military assistance to Pakistan's Frontier Constabulary, a paramilitary organization that operates in the FATA. While its officers are seconded from the Pakistan army, its cadres are drawn from the local Pashtun population. The Frontier Corps has played an important part of Pakistani operations in FATA because of their local language skills and familiarity with the local train. Yet the Frontier Corps is inadequately trained and equipped and has been ill-prepared for counter-insurgency operations in FATA. Numerous defections and refusals to fight and follow orders have taken place within the Frontier Corps. Thus belated moves to help resource the Frontier Corps are welcome and urgently needed. However, it should be kept in mind that the Frontier Corps' myriad problems are not completely resource-related. This organization was used to train the Taliban in the 1990s and many are suspected of having ties to that organization. Second, they are deeply infiltrated and/or sympathetic to the local militants. Third, even if they are not sympathetic to the militants, Frontier Corpsmen are often hesitant to fight due to fear of sparking a sanguinary blood feud in which they or their families

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<sup>18</sup> The Political Parties Act of 1962 (amended in 2002 with the Political Parties 2002) regulates the activities of political parties and their members. In the absence of the political parties act in FATA, political parties are not authorized to campaign, hold rallies or meetings that are typically considered to be quotidian party practices. As such, religious parties are at a distinct advantage in that they need not conduct "party" gatherings as they have ready access to religious institutions from which they can run their political campaigns and associated political outreach. The Frontier Crimes Regulation (FCR) is a colonial-era legislation that exists in FATA and is the framework for rule of law in the tribal areas. The FCR enshrines a number of problematic principles such as "collective responsibility," by which innocent family members can be punished for the crimes of near and distant relatives and tribesmen. Under the FCR, the political agent serves as the apex person for the execution of most state activities associated with law and order. Persons convicted under the FCR have no recourse to Pakistani jurisprudence. Pakistani high court rulings have on several instances ruled that the FCR is unconstitutional to no avail. Pakistani human rights organizations have also registered sharp complaints similarly without state action.

may be ensnared. Training, equipping and professionalizing a competent Frontier Corps is fraught with multidimensional problems and will take years—not months—to do so.

#### **Pakistan's Military**

Since 9/11 numerous concerns have been voiced about the Pakistan army in particular. Some have raised the specter of an inner cabal of Islamist officers who can split away from the rest of the army. This scenario has typically included the possibility of officers absconding with nuclear weapons and/or missiles or some transfer of technology or know-how to militant groups or other undesirable state or non-state entity. Regarding command and control and the security of Pakistan's nuclear weapons, most dedicated Pakistan analysts have no reason to believe that existing policies and procedures are inadequate at this juncture.<sup>19</sup>

There are—and should be—persistent concerns about nuclear safety in Pakistan. Concerns also persist about the prospects for a conventional Indo-Pakistan conflict to escalate or for some misunderstanding about movements of dual-use assets that could precipitate an accidental exchange (among other worrisome scenarios in the context of the Indo-Pakistan security competition). Thus nuclear safety should remain a focus of U.S.-Pakistan military-to-military engagement to the greatest extent possible.

As is well-understood, the A.Q. Khan network is a known source of proliferation and indeed, his network was an important means by which Pakistan obtained its nuclear and missile technologies in the first instance. Proliferation will, and should, remain a concern for the United States and the international community. As Pakistan has declined to allow the IAEA or other non-Pakistani officials access to Dr. Khan and members of his network, doubts will continue to linger about the nature of his network, its expanse and the degree to which parts of it remain functional. This will remain a major irritant in the U.S.-Pakistan relationship that is unlikely to change irrespective of the February electoral outcome.

There is consensus that the Pakistan army is a professional organization and that the nuclear program is the most important priority for the army. As such, the army takes the protection of these assets very seriously. Recent attacks on Pakistan military and leadership targets have involved penetration of the armed forces' military and civilian ranks; however, these remain the exception, not the rule. But the Pakistan army has undergone considerable, but poorly understood change. At independence it continued the British practice of recruiting its officer corps from elite land-owning families of the northern Punjab. Since independence, it has become more

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<sup>19</sup> Institute for National Strategic Studies, National Defense University, "Roundtable Summary U.S. Strategy Toward Pakistan," 30 November 2007.

urban, increasingly middle-class and ever-more representative of Pakistan's population. In other words, it has come to increasingly resemble Pakistani society from which it draws. Many long-time observers of Pakistan note that the country has become more conservative and suggest that this is likely to be true of the officer corps as well as the enlisted and non-commissioned officers. It is also the case that many officers today took their commissions during the Zia ul Haq's efforts to Islamize the country and the army and many officers came up through the ranks after the 1990 U.S. military cutoff.

Thus there are numerous reasons to believe that the Pakistan army may be more anti-American and more conservative than one would like to countenance. Unfortunately recruitment data on the military is virtually non-existent and thus it is difficult to say with any confidence whether and how this institution is changing. However, these historical trends should caution U.S. policy against tightly aligning itself with an institution it does not and indeed cannot understand.

#### **Moving Forward**

In the short term, the United States must work to help achieve a democratic transition in Pakistan—not a democratic patina by which to legitimize President Musharraf. This will involve creating incentives for the Musharraf government to remove the barriers to maximally free and fair elections and to pursue conciliation with the political parties and civil society. This should include reinstating the judiciary; forging an acceptable election commission and securing a voters registration list acceptable to all parties; lifting restrictions on the political parties, the media and election observers; working to minimize electoral violence; and to refrain from using the intelligence agencies and local functionaries to interfere in the election. Musharraf is very unlikely to take these steps without a clarion statement—in public and in private—from the administration and Congress that such measures are expected.

The United States should work to support institutions and processes and demure from supporting or undermining particular persons or institutions. Both Benazir Bhutto and Musharraf were tainted in the eyes of Pakistanis for their association with Washington while U.S. failure to support institutions such as the media and the judiciary has vexed Pakistanis. The United States must make a commitment to securing a democratic Pakistan and Pakistanis must be reassured that this is the case. As the political situation will remain turbulent for the foreseeable future, it is important that the United States reach out to all political parties, key civilian institutions and civil society groups while sustaining a working relationship with Pakistan's armed forces.

In coming months, there will be a temptation to restrict or condition aid and military assistance to Pakistan, particularly if the elections prove illegitimate. However, one must be mindful of the history of U.S. aid to Pakistan. While the conventional wisdom about the "Pressler Amendment" is false, the United States has done little to address pervasive and erroneous accounts of the cutoff of military assistance in 1990 in both the United States and in Pakistan.<sup>20</sup> As such, moves towards cutting aid or conditioning it will likely reinforce Pakistani perceptions that U.S. is only episodically interested in Pakistan for utilitarian purposes. More dangerous is the belief in Pakistan that the U.S. cuts aid when there is a transition to democracy.

However, over the medium and long term, there is urgent need to structurally re-shape the terms of U.S. assistance to Pakistan. The U.S. should continue to expand programs that enable the Pakistani armed forces to fight their and our war on terror more effectively. Military educational programs should be expanded. While IMET is important, there may be other means of expanding the engagement with Pakistan's armed forces through public and private educational institutions. Higher-end equipment that is desirable for Pakistan's strategic purposes should increasingly be contingent upon demonstrable evidence of greater alignment of U.S. and Pakistani interests in counter-terrorism and sustained disengagement from the political management of the country.

While re-optimizing the assistance to the Pakistan military, the U.S. must dramatically expand *programmed* assistance to reform all of Pakistan's civilian institutions including the judiciary, police and law enforcement; to train large numbers of politicians; support major civil society institutions such as those dedicated to monitoring human rights, corruption mitigation, political reconciliation, human development and the like through financial resources and capacity building. While education should remain a priority, all initiatives should be sensitive to Pakistani preferences which may not entail secularization of their curriculum. While a seeming bromide, the United States should explore any and all means of expanding people-to-people contact through exchanges of students, journalists, parliamentarians and other politicians, lawyers, police, judges, teachers and other important representatives of Pakistan's civil society and civilian institutions. In short, the U.S. must rapidly transition from supporting one person towards supporting the key institutions and processes of this critical country.

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<sup>20</sup> While the historical record shows that the Pressler Amendment was forged with Pakistani input to accommodate the administration's interest in continuing to provide military assistance to Pakistan despite growing concerns within the intelligence community and congress about Pakistan's progress towards weaponization, most Pakistanis see the Pressler Amendment as a punitive measure that allowed the United States to drop Pakistan when its strategic utility had diminished.

Mr. ACKERMAN. Thank you.  
Dr. Tellis.

**STATEMENT OF ASHLEY J. TELLIS, PH.D., SENIOR ASSOCIATE,  
CARNEGIE ENDOWMENT FOR INTERNATIONAL PEACE**

Mr. TELLIS. Thank you, Mr. Chairman. I will not seek to reprise the details in my opening statement but to use the few minutes that I have this afternoon to summarize my conclusions with respect to the four questions that I was asked to reflect on.

The first question that I was asked to reflect on was what were the prospects for free and fair elections in Pakistan, and what are the implications of that prospect for United States policy?

Let me start by simply saying that the current electoral process is characterized by irregularities of at least two kinds, irregularities of process and irregularities of structure. The details of these irregularities are in my written statement. But what is important to note is that these irregularities persist and are likely to continue because President Musharraf seeks an electoral process that guarantees a certain outcome, essentially an outcome where the new Prime Minister of Pakistan will not challenge his reelection as President, will not seek to revise the ordinances that he has promulgated in the last several years, and will not seek to resurrect either the dismissed Supreme Court Chief Justices or strengthen the Supreme Court as a competing center of power.

Given these objectives, it is highly unlikely that the structural and process irregularities that characterize the current electoral process will be eliminated as demanded by the international community. It is not clear, however, that Musharraf will be able to pull together a coalition that is *prima facie* favorable to his interests after this election. And part of the problem that we have with Pakistan today is that the political market in this country has collapsed so severely after 8 years of military rule that accurate information about what the preferences of the Pakistani people actually are is very hard to come by. So the most likely outcome that this election will produce is a coalition of some kind.

From the point of view of the United States, I think the key question is going to be not whether the election is free and fair, according to some perfect standards, but rather whether this election will ultimately be acceptable in terms of process and outcome to the Pakistani people. If it is acceptable to the Pakistani people, we will all be spared a great deal of difficulty in our relations with Pakistan. If this outcome, however, is not acceptable to the Pakistani people, it will put the United States in a very awkward position of having to choose.

The most important task, therefore for us, at least immediately, is that we work on Musharraf and prevent the fixing of the election in any egregious way. And the reason for doing that is as much principle as they are self-interest. An egregious election outcome that is seen to be grossly divergent from what the political sense of Pakistan requires opens the door to very serious domestic disorder, which may require committing the Pakistan Army to internal security duties. Such a tasking is likely to be resisted by the Army. It will certainly distract from the ongoing operations in re-

spect to counterterrorism and in the limiting case could actually force the Army to push Musharraf out of office.

On the second question that I was asked to reflect on, which is the likelihood that the new government will pursue counterterrorism operations more consistently and more energetically than the regime has done in the last 8 years, I am afraid my judgment on this is less sanguine than most. I think the Pakistan military is hobbled by very severe capability limitations and these capability limitations will persist irrespective of who comes into office after February. The Pakistanis have also fought a war quite energetically against al-Qaeda and the Pakistani Taliban; that is; those Pakistani forces that resist the state now and the FATA.

We have also done moderately well against sectarian terrorist groups. What they have not done, very deliberately, is target the original Taliban, especially the Kandahari leadership associated with Mullah Mohammed Omar, which most observers believe live today not in the FATA but in Pakistan itself. It is these targets, the Kandahari leadership associated with the original Taliban and the former mujahadeen commanders like Mr. Hekmatyar that have evaded Pakistan's attention in the last several years.

The key question from the point of view of the United States, therefore, is whether the new regime will go after this class of targets because this class of targets will be important for winning the long-term war against al-Qaeda. My own judgment is that they are unlikely to change the current course in very dramatic ways for at least two reasons. Maintaining this Taliban remnant is important for Pakistan's national interests vis-a-vis Afghanistan. The war against these characters is also conducted predominantly by the military, and I think it will be beyond the power of a new civilian government to compel the military to pursue this war if the military believes that it is not in Pakistan's national interest to do so.

On the third issue of reorienting United States assistance to Pakistan, let me just make three specific points. The bulk of our assistance over the last 8 years has been focused primarily on coalition support funding. The way this program has essentially been operationalized has been remarkably and disgracefully ineffective. We have not had the kind of oversight that we need to satisfy ourselves. The bulk of the moneys that have been allocated to coalition support funds have either gone to counterterrorism or actually reflect the true value of the services provided by Pakistan.

I do not think this program can be reformed unless the authorizing legislation that brought it into being is amended. And therefore, I would urge Congress to seriously look at authorizing—to amending the authorizing legislation to tie ESF to specific programs and services. Economic support funds I believe essentially function as some kind of a resource curse that provide resources to Pakistan which allow it to avoid facing up to the opportunity costs of its services and I think a compelling case can be made for the United States to revisit the issue of whether ESF funds need to be sustained at the levels they have, particularly because the worst of the economic crisis in Pakistan is over.

I would argue with Dr. Fair that there is a strong case to be made for increasing targeted development assistance, particularly assistance that focuses on strengthening Pakistan's institutions.

But for the moment I would urge the Congress not to touch the fundamentals of security assistance. We are at a moment in transition where you have a new Chief of Army Staff who by all accounts is a professional military officer, very sympathetic to advancing U.S. counterterrorism objectives. I would prefer to see the United States give him a chance.

It is also important, I believe, not to reinforce the image that is widespread in Pakistan of the United States as an inconstant ally, and most important of all, I think we need to move the United States-Pakistan relationship away from the transactional paradigm where Pakistan provides services because it is paid to provide services to something that resembles a transactional equilibrium where Pakistan provides services because it values its relationship with the United States.

I will end by briefly saying a few words about the security of Pakistan's nuclear arsenal. It is my judgment that the Pakistani nuclear arsenal today is safe against all external or internal threats that can be imagined in peacetime. Unless one posits two dramatically different contingencies, a contingency that involves the Pakistan Army fissuring down the line or the senior leadership of the Pakistan Army being infiltrated by Islamists, I do not believe there is a clear and present danger to Pakistan's nuclear assets. Now both these contingencies are things that we need to concern ourselves about, particularly from the perspective of the long term because the trends that Dr. Fair has identified, particularly with response to the Pakistan Army reflecting the changes that are taking place in its own society. These changes need to be monitored but these are essentially long-term concerns.

The most important policy point that I would make with respect to the security of Pakistan's nuclear arsenal is the following: Whatever future decisions the United States makes with respect to supporting Musharraf, these decisions should not hinge on fears about the security of the arsenal because in my judgment the arsenal is secure and is likely to remain so, at least for some time to come.

Thank you very much. I look forward to your questions.

[The prepared statement of Mr. Tellis follows:]

PREPARED STATEMENT OF ASHLEY J. TELLIS, PH.D., SENIOR ASSOCIATE, CARNEGIE ENDOWMENT FOR INTERNATIONAL PEACE

Good afternoon, Mr. Chairman, and Members of the Subcommittee. Thank you for your invitation to testify on the emerging problems facing the U.S.-Pakistan relationship and their consequences for the United States. As requested by the chairman in his letter of invitation, I will focus my remarks on four issues: (i) the prospect for a free and fair election in Pakistan and the consequences of its absence for stability; (ii) the willingness of the new government to vigorously pursue counterterrorism operations; (iii) the wisdom of reorienting U.S. assistance to Pakistan; and, (iv) the security of Pakistan's nuclear arsenal in the context of the current crisis. I respectfully request that my statement be entered into the record.

(I) FREE AND FAIR ELECTIONS IN PAKISTAN

The tragic assassination of Benazir Bhutto on December 27, 2007, capped a year of great institutional turmoil in Pakistani politics. It also complicated President Musharraf's hopes for an undisturbed validation of his own reelection as president. And, it undermined the administration's efforts to broker a marriage of convenience between Musharraf and Bhutto that would produce a governing dispensation that is civilian in appearance; accept Musharraf's continuance in office because of his importance to U.S. interests; and strengthen the elements of moderation in Pakistan.

Bhutto's violent death instantaneously frustrated these three goals and inaugurated an interregnum of uncertainty.

The critical question now for Pakistan and for the United States as well is whether the forthcoming elections to the National Assembly in Pakistan scheduled for February 18, 2008, will be free and fair. This is an issue of some importance because, after eight years of military rule, the political "market" in Pakistan has been sufficiently distorted to the point where it is simply not evident what the authentic preferences of the nation actually are. If nothing else, therefore, a free and fair election in Pakistan is finally necessary so that both Pakistanis and the outside world can assess the yearnings of the electorate in regard to a variety of issues ranging from the desirable form of governance to the commitment of the Pakistani people to combating extremism.

The quality of the forthcoming elections is also important for another critical reason—determining President Musharraf's future—and it is this quandary that has the greatest bearing on whether the February 2008 polls will in fact be a genuine exercise of participatory democracy. Understanding the conundrum here is critical to assessing whether the forthcoming elections can be free and fair as demanded by the administration, the Congress of the United States and the international community.

President Musharraf secured his reelection as president for another five years on October 6, 2007, through the consent of the outgoing National Assembly. This body happened to be dominated by his supporters, which included the alliance of Islamist parties, the Muttahida Majlis-e-Amal (MMA), as a result of the flawed political process leading up to the elections of October 2002. Musharraf has promised, however, that this reelection would be submitted for validation by the incoming National Assembly, which means that, at the very least, he needs an outcome in the February elections that would not cause him to renege on that commitment. Further, Musharraf cannot afford to find himself in a situation where the new National Assembly begins to reconsider or emend the constitutional distortions that he has ordained during his past tenure in office, particularly insofar as these affect the prospect of his continued rule. And, finally, he cannot countenance any elected government that would attempt to remedy his dismissal of the former Chief Justice, Iftikhar Chaudhry, and his associates or resuscitate an independent Supreme Court either through direct legislative action or through the protection of writ petitions aimed expressly at securing this end.

Musharraf's survival as president for an extended term, accordingly, depends on securing a favorable outcome in the National Assembly, where parties that benefit from his unchallenged continuance in office win the election decisively enough to prevent any future challenges to his rule emanating from the legislature. In practice, this means that Musharraf's first preference would be that the Pakistan Muslim League-Q (PML-Q) dominate the new government because it is led by individuals who detest his most fervent political antagonist-Nawaz Sharif and the Pakistan Muslim League-N (PML-N)—perhaps only slightly less than he does. Given the PML-Q's rather narrow electoral base, however, it is unlikely that the party would secure an absolute majority without large-scale rigging that would discredit the election entirely. Musharraf's next most favorable outcome, therefore, would be a coalition of friendly parties, similar to the kind of arrangement seen in the outgoing National Assembly. In this context, it is possible to imagine a post-electoral outcome that involves Musharraf striking a bargain with Asif Zardari and the Pakistan People's Party (PPP), whereby the latter—if it does well at the polls—is enticed to join (or lead) a coalition that is permitted a certain latitude in governance so long as it does not direct or support any fundamental challenge to Musharraf's continuation in office.

The worst outcome from Musharraf's perspective would be a strong electoral performance by Nawaz Sharif's PML-N: the bitterness between these two leaders would inevitably produce a political collision that would undermine the president's interests and possibly threaten his hope for an unchallenged tenure. Somewhat less challenging would be a coalition between principally Sharif's PML-N and Zardari's PPP: although Sharif has certainly made overtures towards the PPP suggesting such an arrangement, in part to benefit from the sympathy vote that many expect will aid the latter in the forthcoming polls, it is not clear today whether such a coalition is viable and who its other constituents might be. Musharraf's relations with Sharif at any rate are so poisonous that he is likely to respond to the threat of any PML-N presence in the government by attempting to isolate the party politically.

This discussion about electoral outcomes is pertinent only because it highlights a central point about the forthcoming election: President Musharraf needs to be assured of a favorable electoral outcome *a priori*, if he is to avoid a raft of political challenges to his desire to stay in office. Or else he will be forced to engineer an

outcome after the election results are tallied in order to produce a ruling coalition that will not defy his continued presence as president. It is most likely that he will settle for the latter course only if his efforts prior to the election do not succeed in producing a victory for his preferred partners who are both comfortable with his continuation in office and undisturbed by any of the past mutilations inflicted on the country's constitution and its mode of governance.

Given these realities, it is unlikely that the forthcoming elections in Pakistan will be truly "free and fair," that is, remain an adequately neutral process which permits the electorate to convey its political preferences effectively. There are two kinds of impediments to such a free and fair election. The first and most obvious kind of obstacle relates to violations of "process"; these include the ever-present threat of manipulation of the electoral rolls, intimidation of voters, especially in the rural areas, and the dangers of rigging, usually effectuated by "adding" the votes required to secure the desirable results before the tallying centers are permitted to announce the official results. While such "process" violations are commonplace in Pakistani elections and can be mitigated somewhat by the presence of election monitors, the major hazards this time around arise from violations of "structure," that is, from the deliberate maintenance of an irregular playing field designed to illegitimately advantage certain favored parties in the election. Examples of such structural violations include the Musharraf government's refusal to suspend the nazims (mayors) who orchestrate the local misdeeds required to produce the desired outcomes at the polls; the failure to fill the slots allocated to the North West Frontier Province and the Sindh on the Election Commission; the regime's refusal to allow exit polling as a means of mitigating, however partially, the threat of rigging; the continued restrictions on the media; the blatant use of official and state machinery in support of certain political favorites; and most problematic of all, the manifest partiality of the president and the provincial governors along with the caretaker and local governments. Not surprisingly, then, one watchdog group of eminent Pakistanis, the *Citizens Group on Electoral Process (CGEP)*, has assessed the pre-poll electoral process in Pakistan to be highly unfair, giving it a score of only 26 on a scale of 100 in respect to the overall fairness of the polling environment in a period spanning 12 months.

Despite these efforts, however, it is not clear whether Musharraf's preferred partners will be able to win the election. If this is the case, and if Musharraf is unable to cobble together a coalition that would acquiesce to his continuation in office, the stage would be set for a serious constitutional crisis in Pakistan. Given the failure of the political "market" in Pakistan referred to earlier, it is possible—perhaps even likely—that any election result, even if fair, will be challenged vociferously by the losers. And the lack of reasonable prior information about the preferences of Pakistan's electorate makes it difficult to judge whether such complaints are in fact justified or whether they simply understandable but nonetheless illegitimate protests provoked by political defeat. In any event, if such dissatisfaction results in violence that leads to a breakdown in law and order requiring the Pakistan Army to be deployed for policing operations, this diversion to internal security duties would not only distract from the counterterrorism operations currently underway in the Federally Administered Tribal Areas (FATA) but also would strain the comity currently existing between President Musharraf and the Chief of Army Staff, General Pervez Kiyani. Depending on how such a crisis unfolds, a major meltdown in domestic order that results in significant fatalities as a result of military action could be one important driver (among others) that compels the leadership of the Pakistan Army to force Musharraf's exit as president. The potential for civil unrest and instability emerging from a flawed election in Pakistan, therefore, ought to remain the most problematic contingency from the viewpoint of the Bush administration.

Attempting to avert just this prospect and to further the cause of a genuinely free election in Pakistan, many critics of the administration have argued in Joshua Kurlantzick's words, that "the U[nited] S[ates] needs to abandon Musharraf today."<sup>1</sup> While that sentiment is understandable, the prescription is premature. It is also among the more risky responses that could be adopted by the United States right now. The Bush administration almost certainly will reject it—until it is confronted with no other choice. There is no need, moreover, to embark on such a drastic course of action at the present moment. After all, it is possible that the forthcoming election could produce a result—either through pre- or post-election negotiations between Musharraf and the political parties—that is compatible with his desire to remain in office. What is, therefore, important from the viewpoint of U.S. interests is that no premature decision with respect to supporting or abandoning

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<sup>1</sup>Joshua Kurlantzick, "Time's Up: The U.S. Needs to Abandon Musharraf Today," *The New Republic*, November 5, 2007.

Musharraf be made right away. Rather, U.S. policymakers and the Congress ought to focus on prevailing upon Musharraf to oversee a fair election that reflects certain standards of legitimacy by remedying the structural and process irregularities that currently threaten to vitiate the electoral process and thereby distort the desire of the Pakistani people to express themselves clearly. If this can be achieved, it would be a considerable accomplishment that would help to provide the important missing information about Pakistan's political preferences, clarify Musharraf's own future options and, by implication, delineate the reasonable alternatives facing the United States.

If this cannot be achieved at the end of the day, the administration will be confronted with difficult choices. Irrespective of how it is inclined to respond to such a contingency, three considerations ought to be borne in mind.

First, the Pakistani people today are tired of both President Musharraf and continuing military rule and, given the political crisis that has been underway in Pakistan almost uninterruptedly since March 2007, are unlikely to give Musharraf the benefit of the doubt if the February election is marked by gross irregularities.

Second, the administration would be unwise to put itself in a position of diametric opposition to the will of the Pakistani people, whose inclinations will become more and more evident through both the character of the electoral process and—if fair—its result. In this context, the administration ought to avoid pretending to be neutral as structural violations of the electoral process by Musharraf continue merely because that might help to avoid an unfavorable electoral outcome that either increases domestic instability in Pakistan or compels the United States to make some hard choices. Such an approach, however appealing it may appear in the short term, will only exacerbate the problems in Pakistan, not eliminate them. The administration also ought to focus less on playing midwife in delivering certain political outcomes in the forthcoming election and more on assuring a responsive, credible, and legitimate electoral process.

Third, the ongoing political transition in Pakistan—including the growing national clamor for a return to democracy centered on an abiding rule of law—can no longer remain isolated from the larger war on terrorism. Although the legitimacy of Musharraf's rule and the character of Pakistan's apex governing arrangements were initially not central to either U.S. counterterrorism interests or Islamabad's counterterrorism performance, both these variables have now become important to Pakistan's ability to win the struggle against Islamist extremism. A continuing constriction of democracy could, if it leads to social disorder, distract the Pakistan Army even as it widens the opportunity for the more radical elements in Pakistani society to dominate their nation's political space to the long-term detriment of both Pakistan and the United States.

#### (II) PURSUING COUNTERTERRORISM OPERATIONS

Even if a reasonably fair election were to be completed and a legitimate civilian authority arrives in office, it would be too much to expect that Pakistan's counterterrorism operations would be dramatically transformed either in motivation or effectiveness. Appreciating this fact requires understanding the nature of the terrorist groups within Pakistan and the character of Islamabad's counterterrorism strategy vis-a-vis these groups.

As things stand today, it is possible to identify five distinct extremist groups that ought to be the legitimate target of Pakistani law enforcement and military operations:

- (i) Sectarian groups, such as the Sunni Sipah-e-Sahaba and the Shia Tehrik-e-Jafria, which are engaged in violence within Pakistan;
- (ii) Anti-Indian terrorist groups that operate with Pakistani military and ISID support, such as the Lashkar-e-Toiba (LeT), the Jaish-e-Mohammed (JeM), and the Harkat ul-Mujahideen (HuM);
- (iii) The Pakistani "Taliban" groups, consisting of the extremist outfits in the FATA, led by individuals such as Baitullah Mahsud, the chieftain of the Mahsud tribe in South Waziristan, Maulana Faqir Muhammad and Maulana Qazi Fazlullah of the Tehrik-e-Nafaz-e-Shariat-e-Muhammad, and Mangal Bagh Afridi of the Lashkar-e-Islami in the Khyber Agency;
- (iv) The original Taliban movement and especially its Kandahari leadership centered around Mullah Mohammad Omar and believed to be now resident in Quetta; and, finally,
- (v) al-Qaeda and its affiliates, meaning the non-South Asian terrorists currently ensconced in the FATA region of the North West Frontier Province in Pakistan.

Since September 2001, President Musharraf has pursued a highly differentiated counterterrorism policy that has involved treating each of these targets differently. He systematically suppressed mainly those domestic terrorist groups like the Sunni Sipah-e-Sahaba and the Shia Tehrik-e-Jafria that had engaged in bloody internal sectarian violence but, more importantly, had subverted critical state objectives. By contrast, he largely ignored the terrorist outfits operating against India in Kashmir and elsewhere; although he has controlled their infiltration into Kashmir in recent years, this restraint has not extended to either abandoning or eliminating them in the manner witnessed, for example, in the case of the more virulent anti-national sectarian entities operating within Pakistan. Fearful of Washington's disfavor, Musharraf has attacked al-Qaeda resolutely, if not always effectively. Although the Pakistani Taliban did not exist as realistic threats in 2001, Musharraf has also combated them vigorously and as best he can, though in all instances where active counterterrorism operations are underway, Pakistani military effectiveness remains hobbled by real limitations in capacity. Musharraf has approached the original Taliban in a manner more akin to the Kashmiri terrorists and has avoided targeting them comprehensively; he has especially overlooked their leadership now resident in and around Quetta.

A summary assessment of Musharraf's counterterrorism operations against extremist groups, therefore, must conclude that they are at the very least "segmented" and that this discordance can be accounted principally by how important the exempted groups are to Pakistan's national interests. Because the original Taliban and especially its Kandahari leadership is critical to the attainment of Islamabad's objectives vis-à-vis Afghanistan, just as the Kashmiri terrorist groups are vis-à-vis India, the Pakistani state has refrained from attacking them in any significant or decisive way. Although this discriminative approach to fighting terrorism was shaped and implemented by General Musharraf in his dual capacity as president and previously chief of army staff, it would be erroneous to conclude, however, that this prevailing strategy is owed simply to the whim of one man. This is particularly relevant today when Musharraf's hold on power has become progressively weaker and the future of his political status and effectiveness increasingly clouded. Rather, Musharraf's decisions in regard to counterterrorism strategy since 2001, although publicly perceived as personal dicta, invariably reflected the consensus among the corps commanders of the Pakistan Army and, hence, represent the preferences of Pakistan's military-dominated state.

In other words, even if Musharraf were to suddenly exit the Pakistani political scene at some point, Islamabad's currently discordant counterterrorism strategy would still survive so long as the men on horseback continue to be the principal guardians of national security policymaking in Islamabad. Because it is unreasonable to expect that the uniformed military will give up its privileges in this regard anytime soon—even if a civilian regime were to return to the helm in the future—the internally segmented counterterrorism policy currently pursued by Pakistan will likely persist for some time to come.

Even if it could be imagined that a civilian dispensation could wrest some control of Pakistan's national security policy from the military, it is not at all certain that the current strategic direction would change dramatically. A civilian regime would probably have greater incentives to combat all sectarian terrorist groups more evenhandedly, but that too is uncertain. Whether they would do better in regards to anti-Indian terrorist groups is also unclear: after all, both the principal Pakistani civilian political parties historically permitted their military and intelligence services to aid, abet, and arm the terrorist groups operating in Kashmir and elsewhere in India, sometimes because they were simply powerless to prevent it but at other times with their full knowledge and consent. Both the principal civilian political alternatives in Pakistan would likely continue to prosecute the current antiterrorism operations against both al-Qaeda and the Pakistani Taliban because there is a consensus among the country's centrist political elites that these groups remain grave threats to both their country and the writ of their state. It is not obvious, however, that they either could or would extend this campaign to include the original Taliban and especially their fugitive leadership.

This fact, however, only underscores the continuity that is likely to persist in Pakistan's approach to counterterrorism even if a civilian government were to ascend to power in Islamabad. Although there are likely to be differences in style, nuance, and emphasis, the weaknesses of Pakistan's moderate political parties, Islamabad's enduring interests vis-à-vis Afghanistan and India, and the likely inability of any civilian government to exercise comprehensive control over the Pakistani military and intelligence services all combine to suggest that dramatic changes in attitude and performance toward the Taliban and the terrorist groups operating on Indian soil may not be forthcoming. And, although sectarian groups within Paki-

stan as well as liberal ideals in Pakistani politics may be pursued more urgently and hopefully just as resolutely as the war against al-Qaeda, the net deviation from Musharraf's currently segmented antiterrorism policies may be either too subtle or too insignificant to really matter.

### (III) REORIENTING U.S. ASSISTANCE TO PAKISTAN

The issue of reorienting U.S. assistance to Pakistan as a means of shaping Pakistan's political evolution is a tricky one and fraught with uncertainty and risk.

As Craig Cohen and Derek Chollet have pointed out, the majority of the \$10 billion transferred to Islamabad since 2001 has gone towards military assistance: fully 57 percent, or \$5.64 billion, has gone toward Coalition Support Funds (CSF); roughly 18 percent, or \$1.8 billion, has been obligated towards security assistance; about 16 percent, or \$1.62 billion, has been absorbed by economic and budget support in the form of direct cash transfers; and only the residual amount, some 9 percent, or \$.9 billion, has been allocated towards development and humanitarian assistance.<sup>2</sup> This assistance pattern suggests quite emphatically, as Cohen and Chollet have phrased it, that American aid to Pakistan since the September 11, 2001, attacks "is not money intended to transform the nature of the Pakistani state or society or to strengthen Pakistan's internal stability. In effect, it is politically determined assistance, a "thank you" to Musharraf's regime for the critical role Pakistan has played in Operation Enduring Freedom."<sup>3</sup> That such a conclusion should be drawn is not surprising because the Bush administration unfortunately has ended up emphasizing counterterrorism objectives in Pakistan to the neglect of promoting democracy, renewing Pakistani society, and refurbishing its economic foundations so as to permit stability and development.

What should Congress do at this juncture then? First, since counterterrorism operations will continue to be important to American security for the foreseeable future, cutting back on CSF will be difficult, if not impossible. Because these funds have been very shoddily dispersed since 2001, however, reforming the disbursal system—by amending the authorizing legislation if necessary—is critical. The current system of simply cutting checks for whatever bills are presented monthly by Islamabad as the costs borne for counterterrorism support engenders institutional corruption in the Pakistani military, destroys the integrity of the U.S. assistance program, and is unfair to the U.S. taxpayer. Because money is ultimately fungible, and because it is very likely that Islamabad charges Washington for far more than it actually spends on counterterrorism operations, the current CSF allocation ends up becoming a straightforward subsidy for Pakistani purchases of expensive weapon systems whose principal value derives primarily from their utility against India. An alternative modality of disbursing coalition support funds to Pakistan, where reimbursements are tied either to specific tasks and linked to the performance of specific objectives or allocated for specific purposes, is long overdue. Such reform would, not only better align U.S. financial burdens with the true services rendered by Pakistan but also ensure that U.S. military assistance would actually be used for counterterrorism efforts rather than diverted toward other programs, while simultaneously serving as a subtle reminder to Islamabad that U.S. generosity cannot be taken for granted in the face of continuing prevarication.

Second, many of the components of the recently obligated \$750 million U.S. assistance program to the FATA are eminently sensible and, if properly implemented, could help considerably in advancing the common U.S. and Pakistani goal of local stability. This includes the effort to improve Frontier Corps training; expand access to education, health, and community services; increase the investments in infrastructure; and strengthen local public diplomacy, counter-narcotics, and border control management. Several elements, however, remain of concern. To begin with, Pakistan's financial contribution to the FATA improvement program is asymmetrically minuscule in comparison to that of the United States, raising questions about Islamabad's stakes in, and ownership of, such an ambitious effort. Further, the complicated and time-consuming nature of this project, the uncertainty about its effective implementation, and the acute physical risks to what will inevitably be "high demand, low density" investments spark concerns about the ultimate success of the program. Finally, Washington's failure to condition the availability of these new funds on Islamabad's implementation of political reforms in the tribal regions embodies a great lost opportunity: Requiring Islamabad to begin the process of revising the Frontier Crimes Regulation, eliminating the political agent as part of the larger

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<sup>2</sup> Craig Cohen and Derek Chollet, "When \$10 Billion Is Not Enough: Rethinking U.S. Strategy toward Pakistan," *The Washington Quarterly*, 30:2 (Spring 2007), 7–19.

<sup>3</sup> Ibid., 11.

process of integrating the FATA into Pakistan's North West Frontier Province under the full jurisdiction of the provincial and national legislatures and the judicial system, and withdrawing the restrictions on political parties operating in the FATA with an eye to introducing conventional political institutions, would have provided the critical complementarities required to ensure that the current U.S. investments in the FATA would finally pay off in terms of local stability.

Third, Congress ought to revisit the larger composition of U.S. assistance to Pakistan, specifically the mix between military and developmental assistance which hitherto has been lopsidedly tilted towards the former. Given that Pakistan has also now passed its most serious moment of economic crisis, the United States should cut back on economic support funds, cash transfers, and other forms of budgetary support because these subsidies function as the equivalent of the "resource curse"—unearned "rents" that prevent Islamabad from having to pursue sound economic policies, exculpate it from responsibility for its decisions, and inexorably liberate it from the constraints of opportunity costs, not to mention helping to destroy whatever notions of democratic responsiveness may still survive within the polity. While the level and desirability of economic support funds to Pakistan should, therefore, be reviewed by Congress sooner rather than later, Congress also ought to refrain from blocking the transfer of high-end weapons that Pakistan has already purchased. While there is a compelling case to be made that the administration ought to be more restrained in its willingness to transfer certain high-leverage weapons such as advanced air-to-air missiles and airborne warning and control systems to Islamabad for reasons related to both regional stability and technological security, Congress should not today interrupt the transfer of certain high-profile systems, such as F-16 aircraft, already committed to Pakistan.

The reasons for eschewing such action are many: first, to avoid further abrading Pakistani sentiments in regard to an aircraft that enjoys a convoluted symbolism in the recent history of U.S.-Pakistan relations; second, to avert a crisis in relations with the Pakistani military and especially with the new Chief of Army Staff, General Pervez Kiyani, who is by all accounts a professional soldier sympathetic to advancing U.S. counterterrorism objectives; third, to refrain from reinforcing the impression in Pakistan of the United States as an inconstant and self-serving ally; and, lastly and perhaps most importantly, to move the bilateral relationship away from a "transactional approach" centered on "specific reciprocity," where Islamabad performs certain desirable actions as a response to some tit-for-tat stimulus, to something that resembles a "relational equilibrium" based on "diffuse reciprocity," where Islamabad pursues the right policies because the expectation of a steady and lasting partnership with Washington propels it to act with rectitude, confident that its good conduct would lead to a wider institutionalization of trust that would pay for itself over time.

#### (IV) THE SECURITY OF PAKISTAN'S NUCLEAR ARSENAL

Although the security of Islamabad's nuclear arsenal remains uppermost in the public mind during any crisis in Pakistan, it is my judgment that Pakistan's strategic assets—to include its nuclear devices, its delivery systems, and its stockpile of fissile materials—are fundamentally safe today. Compared to the situation in the late 1980s and early 1990s, when Pakistan's nuclear arsenal was still relatively vulnerable to a variety of external and internal threats, the security of these assets has improved dramatically as a result of the protective measures put in place since the late 1990s. The Director General of Pakistan's Strategic Plans Division (SPD), Lieutenant General (retd.) Khalid Kidwai deserves singular credit for remedying the security vulnerabilities that traditionally plagued the Pakistani nuclear arsenal. These remedies, focused on insulating the strategic reserves against both external and internal dangers, involve a combination of solutions ranging from tightened physical security at strategic installations, to large investments in opacity and deception and denial, to incorporation of technical controls on the nuclear weapons themselves, to the institutionalization of organizational solutions aimed at preventing insider threats. As a result of these cumulative improvements, I believe that Pakistan's nuclear arsenal today is impervious to virtually all threats that might be imagined as materializing in peacetime.

The following exceptions apply to this general conclusion. The most potent threat to the security of Pakistan's nuclear estate currently arises primarily from contingencies involving a fissure in the Pakistani military and a breakdown in the system of authority and command. I do not believe this to be a realistic threat in present circumstances and even if relations between President Musharraf and the Chief of Army Staff, General Kiyani, were to become estranged to the point of rupture, the threat of a breakdown in the command system of the Pakistani military would be

minimal, given that Musharraf no longer enjoys any line-level control over his nation's armed forces. Even if some Islamist parties were to come to power through the ballot in Pakistan, they would enjoy no operational control over Pakistan's nuclear assets. Unless one posits, therefore, a truly extreme scenario where the chief of army staff himself turns out to be secretly a political extremist, the security of Islamabad's nuclear capabilities ought not to become a matter of more than prudential concern. The real threats to the security of Pakistan's nuclear arsenal are likely to arise mostly over the longer term: if the rising tide of Islamization in Pakistani society seeps into its armed forces or into its scientific establishments—as many fear it already has, especially in the lower ranks—and the SPD's internal security mechanisms fail to detect the threat either because they are themselves compromised or because of oversight errors and deficiencies, the security of Pakistan's nuclear weapons and materials may once again be at risk. Obviously, this is a contingency that the current military leadership in Pakistan is especially sensitive to, but it remains a good reason for the United States to stay engaged with the Pakistani military to help mitigate this threat should it arise.

To end this discussion, the relative high level of security that currently characterizes the Pakistani nuclear arsenal implies that the administration ought to make its decisions about supporting Musharraf without reference to any fictitious fears about the dangers his exit may pose to the protection of the arsenal. Whatever the reasons for buttressing or abandoning Musharraf may be, the impressive improvement in the security of Pakistan's nuclear assets during the last decade or so implies that concerns about a compromise of these capabilities should be among the factors least relevant to that decision.

Thank you, Mr. Chairman, for your attention and your consideration.

**Mr. ACKERMAN. Ms. Curtis.**

**STATEMENT OF LISA CURTIS, SENIOR RESEARCH FELLOW,  
ASIAN STUDIES CENTER, THE HERITAGE FOUNDATION**

Ms. CURTIS. Thank you, Chairman Ackerman, Congressman Pence, and the rest of the distinguished members of the subcommittee, for inviting me to testify today.

The dramatic events in Pakistan over the last 10 months, punctuated by the assassination of a liberal politician and two-time Prime Minister Benazir Bhutto, cast doubt on the future stability of the country and raised questions about U.S. policy options for taming the growing unrest. Conventional wisdom holds that in this part of the world, stability and democracy are mutually exclusive, but in the case of Pakistan it is increasingly clear that holding a fair and transparent election provides the best chance for stabilizing the country.

Ultimately, a popularly elected civilian government working hand in hand with a strong military will provide stability and security for the Pakistani people. A flawed election viewed as rigged by Musharraf, on the other hand, would lead to further civil unrest that could bring Pakistan to a dangerous tipping point. The violent protest and arousal of ethnic tensions sparked by the Bhutto assassination demonstrate the state's fragility.

The U.S. needs to be clear on the specific criteria on which it will judge the fairness of the election, working closely with observers before, during and after the process. Washington should increasingly view Musharraf as a transitional figure whose influence is likely to decline in the months ahead. The United States relationship with Pakistan will likely go through an adjustment period as Washington shifts from dealing mainly with Musharraf to a more broad-based government run by civilians.

Confronting terrorism and extremism in Pakistan will be a long-term and multi-pronged effort. In the immediate term, the United States and Pakistan should cooperate to address the terror safe

haven along the border with Afghanistan which constitutes a worldwide threat to security. Al-Qaeda and Taliban-backed terrorists in this region seek to destabilize both Afghanistan and Pakistan and to project terrorism throughout the world through operational support and ideological inspiration.

The Pakistani approach of pursuing tactical peace deals with a terrorist in this region has proved futile. Washington and Islamabad need to develop a strategic approach to the problem. This will involve working together to collect intelligence and target known terrorist hideouts, and uprooting terrorism and modernizing these back road areas will require economic development and political reform that incorporates these areas into the Pakistani system. The Bush administration's commitment to provide \$750 million over 5 years to develop the tribal areas is a step in the right direction.

Remaining sympathies and links between elements of the Pakistani security establishment and militant groups that previously fought in Kashmir or with the Taliban in Afghanistan hamper Pakistan's ability to gain the upper hand against the extremists. The mid-December escape of Rashid Rauf, who was allegedly involved in the 2006 plot to blow up planes flying between Washington and London, from Pakistani custody is of grave concern. Rashid Rauf is connected by marriage to Masood Azhar, head of the Jaish-e-Mohammed, the Pakistani terrorist group operating in Kashmir with links to Pakistani intelligence.

Pakistan in the past has tried to make a distinction between foreign terrorists and homegrown militants, but this ambiguous approach is now haunting Pakistan as homegrown terrorists have merged their ideologies and capabilities with al-Qaeda and now target the state of Pakistan. Last July's showdown at the Red Mosque was a turning point in Pakistan's battle with extremism. Most of the suicide bombings over the last 6 months which have targeted the Pakistani Army, police and intelligence services are retaliation for the military operation at the mosque.

Pakistan has also been cracking down on the Taliban leadership over the last year and contributing to the international effort to stabilize Afghanistan. As Pakistan deals with the extremist threat that is now turning inward we need to continue to provide robust economic and military assistance programs, yet improve the way we monitor and leverage this aid.

The Bush administration's recent decision to begin programming \$200 million annually in USAID projects that touch the grassroots of society rather than providing those funds as a direct cash transfer to the Musharraf government constitutes a major improvement in how the United States administers aid programs in Pakistan. Recent calls to cut military assistance on the other hand are unhelpful. The United States already cut F-16 sales to Pakistan once in the past and doing so again will only confirm for many Pakistanis that the United States is indeed a fickle partner. Cutting United States and military assistance to Pakistan would demoralize the Pakistan Army and jeopardize our ability to garner close counterterrorism cooperation. It is because of careful U.S. nurturing of the military-to-military relationship that the United

States has been able to cooperate with Pakistan to ensure its nuclear weapons stay out of the hands of terrorists.

Recent media hype surrounding the issue of the safety of Pakistan's nuclear weapons, including statements about the possibility of the United States having to seize Pakistani nuclear assets, is damaging to the bilateral relationship. The current civil unrest does not directly endanger the safety of Pakistan's nuclear arsenal. The main threat stems from the potential for al-Qaeda to penetrate the system through retired scientists or military officials with extremist sympathies. For this reason it is more important to focus on helping Pakistan institute procedures like improving its personnel reliability programs than it is to discuss openly plans for emasculating its nuclear capabilities.

As we manage the challenges of the United States-Pakistan relationship, we should take care not to repeat past mistakes. We failed throughout the 1990s to understand the growing terrorist threat in South Asia, and we failed to develop a strategic diplomatic approach to defeat the ideology of al-Qaeda and the Taliban. We also failed to view the problem in its regional context. So despite the current frustration over lack of Pakistani success in uprooting the terrorist safe haven in its border areas, the United States should refrain from cutting military assistance and instead develop with Pakistan a strategic approach to address this problem.

Unlike before 9/11, this time around our countries should work together to weaken the grip of the Taliban-al-Qaeda ideology in South Asia so that we can diminish the worldwide terrorist threat.

That concludes my remarks. Thank you.

[The prepared statement of Ms. Curtis follows:]

**PREPARED STATEMENT OF MS. LISA CURTIS, SENIOR RESEARCH FELLOW, ASIAN STUDIES CENTER, THE HERITAGE FOUNDATION**

The dramatic events in Pakistan over the last ten months, punctuated by the December 27, 2007, assassination of liberal politician and two-time Prime Minister Benazir Bhutto, cast doubt on the future stability of the country and raise questions about U.S. policy options for helping tame the growing unrest. In addition to frequent civil protests deplored President Pervez Musharraf's heavy-handedness toward the judiciary, violent conflict has escalated, including: a bloody confrontation last July between Pakistani military forces and Islamic extremists at a mosque in the heart of Islamabad; a spate of suicide bombings that have left over 600 Pakistanis dead in six months; and a growing presence of Taliban-backed extremists in the northwest part of the country, particularly in the Tribal Areas bordering Afghanistan.

Conventional wisdom holds that in this part of the world stability and democracy are mutually exclusive. But in the case of Pakistan, it is increasingly clear that holding fair and transparent elections provides the best chance for stabilizing the country. Ultimately a popularly elected civilian government working hand-in-hand with a strong military focused on its primary mission of battling extremists will provide stability and security for the Pakistani people. There has been some discussion of the formation of a national unity government in the run-up to an election, but such a step should only be pursued with the full agreement of the major political parties and with the understanding that it would help restore democratic rule. A major complicating factor for the election process is the continuing campaign of suicide bombings, including last week's attack in front of the Lahore High Court that killed dozens of police officers.

A flawed election viewed as rigged by Musharraf would lead to further civil unrest that could bring Pakistan to a dangerous tipping point. The violent protests and arousal of ethnic tensions sparked by the Bhutto assassination demonstrate the state's fragility. Pakistan has held eight elections in its 60-year history, but next month's may prove to be the most important one yet. President Musharraf's credi-

bility has plummeted in the eyes of most Pakistanis, and his regime's handling of the Bhutto assassination has only compounded his problems. Video footage of the attack shows Bhutto was probably killed by a bullet, rather than from a head fracture, as initially claimed by the Interior Ministry. The contradictory statement has fueled public mistrust of the Musharraf government, which was already running high due to his imposition of emergency rule in early November last year.

The situation in Pakistan is fluid and delicate. The U.S. should refrain from making abrupt policy changes, and instead remain engaged with both civilian politicians and the military leadership in an effort to ensure Pakistan weathers the current tumult. Washington should increasingly view Musharraf as a transitional figure whose influence is likely to decline in the months ahead. The U.S. relationship with Pakistan will likely go through an adjustment period as Washington shifts from dealing mainly with Musharraf to a more broad-based government run by civilians. The U.S. needs to exercise patience as Pakistan seeks to resolve its domestic turmoil, encouraging the democratic process and criticizing any further attempts by Musharraf to undermine it.

#### CONFRONTING EXTREMIST THREAT

The Bhutto assassination demonstrates the extent to which the Musharraf government has failed to rein in extremism and terrorism in the country. Three years ago Musharraf had articulated a goal of "enlightened moderation" for his country, but his actions have not lived up to his words. Instead of taking an unambiguous approach to Islamic extremism by closing down religious schools that preach hatred of the West and applying the rule of law equally to all terrorists, his government continues to distinguish between homegrown and foreign-born extremists and to jail more peaceful democratic activists than violent militants.

Confronting terrorism and extremism in Pakistan will be a long-term and multi-pronged effort. In the immediate term, the U.S. and Pakistan need to work cooperatively in addressing the terrorist safe haven along the border with Afghanistan, which constitutes a threat to worldwide security. Al-Qaeda and Taliban-backed terrorists in this region seek to destabilize both Afghanistan and Pakistan and to project terrorism throughout the world through both operational support and ideological inspiration. The Pakistani approach of pursuing tactical peace deals with the terrorists in this region has proved futile. Washington and Islamabad need to develop a strategic approach to the problem.

The Pakistan Army has had some recent success in confronting Taliban-backed extremists in the Swat Valley region of the Northwest Frontier Province and must now focus on replicating those advances in the Tribal Areas. Pakistani success in confronting the terrorist scourge lies in the hands of the Army, now led by General Ashfaq Pervez Kiyani. Kiyani has a reputation for being a serious, professional soldier disinterested in meddling in Pakistan's internal politics, which may facilitate U.S.-Pakistan counterterrorism cooperation. Next month's election of a new parliament and Prime Minister is unlikely to impact substantially the overall approach of the military leadership in dealing with the terrorist safe haven along the Afghan border.

Pakistani officials in the past have tried to separate the Pakistani radicals from al-Qaeda's global objectives and negotiate with Pakistani Taliban leaders to pacify the situation. The government has tried to pursue peace deals with local tribal leaders to rein in al-Qaeda activities along the Afghanistan border, but these deals backfired by emboldening the terrorists and allowing them to strengthen their influence in the region. Musharraf's attempt to find a non-military solution to the terrorist problem in the border areas was probably aimed at avoiding upheaval in the Army: One-quarter of Pakistan's soldiers share an ethnic Pashtun identity with the region's inhabitants. The precariousness of the situation in the northwest became clear in early November, when Musharraf freed 25 Taliban militants to secure the release of some 200 Pakistani soldiers being held hostage by Pakistani Taliban leader Baitullah Masood.

Remaining sympathies and links between elements of the Pakistani security establishment and militant groups that previously fought in Kashmir or with the Taliban in Afghanistan hamper Pakistan's ability to gain the upper hand against the extremists. The mid-December escape of terrorist Rashid Rauf (allegedly involved in the 2006 plot to blow up planes flying between Washington and London) from Pakistani custody is emblematic of the murky relations between Pakistan security agencies and international terrorists. Rashid Rauf is connected by marriage to Masood Azhar, head of the Jaish-e-Mohammed, a Pakistani terrorist group operating in Kashmir with links to Pakistani intelligence. Rauf's mysterious escape raises questions about Pakistan's overall commitment and ability to bring to justice

international terrorists with local ties. Although Pakistan's senior Army leadership almost certainly recognizes the problem, they have yet to address the issue in a forthright and systematic manner.

The implications of the Red Mosque showdown in July for Pakistan's future are far-reaching. Most of the suicide bombings over the last six months are likely retaliation for the Pakistani military operation at the mosque, which resulted in at least 100 deaths. The revenge suicide bombings throughout the country and the recent confrontation between Taliban-backed militants and the Pakistan Army in the Swat Valley are changing the dynamics between Pakistani religious parties and their former Taliban benefactors. The phenomenon is similar to the "Anbar Awakening" in Iraq in which the harsh tactics of al-Qaeda fighters led to a backlash from the Sunni tribes. According to recent media reports, the leader of the religious party Jamiat Ulema-e-Islam (JUI) Fazlur Rehman is trying to disassociate himself from the new generation of Taliban that is targeting the Pakistani state. One reason for the JUI's shifting position is that militants themselves are now lashing out against the same Islamist parties who supported them in the past.<sup>1</sup> The major difference from the situation in al Anbar, however, is that rather than Sunni tribes, the Pakistan Army is directly confronting the Taliban militants in the Swat Valley.

The growing cleavages between the Pakistani religious parties and the militants targeting the Pakistani state will assist the Pakistani Army's efforts to uproot the terrorists along the border with Afghanistan. The U.S. military should stand ready to assist the Pakistanis with any equipment or training necessary to fight these terrorists who now seek to destroy the state of Pakistan. Direct and uncoordinated U.S. military intervention in the Tribal Areas would likely have disastrous consequences. Such military intervention risks further destabilizing the Pakistan government and tipping the political balance in favor of religious extremists. The U.S. must follow the Pakistan Army lead, demonstrating that it values the stability of the Pakistani state and a cooperative relationship with the Pakistan Army.

Dealing effectively with the terrorist problem also requires Pakistani leaders to take an unequivocal stand against the threat and back up their public statements with actions. Benazir Bhutto had campaigned on a promise to steer her country away from extremism. This was a message that resonated with the Pakistani people and one that was ridiculed by some of Musharraf's closest supporters. In late October, for example, then Railways Minister Sheikh Rashid said during a press conference, while referring to Benazir Bhutto, "Those who try to raise the flag of imperialistic policies would have to face suicide attacks."<sup>2</sup> Statements like these bolster the cause of the terrorists and contribute to Bhutto supporters' suspicions of government complicity in her murder.

As Pakistan works to combat extremism, it should consider adopting policies to deprogram or de-radicalize militants that pose less of a direct security threat. Singapore launched in 2003 "The Religious Rehabilitation Group," in which volunteer clerics lead weekly one-on-one counseling sessions with detainees to expose them to the distortions of the radical Jemaah Islamiyah (JI) doctrine.<sup>3</sup> Indonesia has been experimenting with similar de-radicalization programs for the last three years using reformed, high-profile prisoners to convince radicals of the error of their ways through the force of argument.<sup>4</sup> These are serious efforts worthy of a careful assessment by Pakistani authorities.

#### U.S. ASSISTANCE PROGRAMS

Washington should continue to provide robust economic and military assistance programs to Pakistan, but improve the way it monitors and leverages this aid. The Bush Administration's recent decision to begin programming through the U.S. Agency for International Development (USAID) the \$200 million annual direct cash transfer was a welcome development. Providing this aid in the form of socio-economic projects that directly impact the lives of average Pakistanis, rather than through cash transfers to the Musharraf government, constitutes a major improvement in how the U.S. disburses and administers its large-scale assistance programs to Pakistan. The majority of this assistance should go toward public education to

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<sup>1</sup> Nicholas Schmidle, "Next-Gen Taliban," *The New York Times Magazine*, January 6, 2008, at <http://www.nytimes.com/2008/01/06/magazine/06PAKISTAN-t.html?ex+1357189200> (January 11, 2008).

<sup>2</sup> "No chance of BB as next PM, says Rashid," *The Nation*, October 24, 2007, at <http://www.nation.com.pk/daily/oct-2007/24/index8.php>, (November 11, 2007).

<sup>3</sup> Simon Montlake, "U.S. tries rehab for religious extremists," *Christian Science Monitor*, October 9, 2007, at <http://w3.nexis.com/new/results/docview.do?risb+21> (January 11, 2008).

<sup>4</sup> International Crisis Group, "Deradicalisation and Indonesian Prisons," Asia Report No. 142, November 19, 2007.

boost current U.S. aid to the education sector, which now stands at about \$60 million annually. Only about 42 percent of Pakistani children between the ages of five and nine attend school, and adult female literacy is only about 40 percent.<sup>5</sup>

Recent calls to cut military assistance, on the other hand, are unhelpful. The U.S. already cut F-16 sales to Pakistan once in the past, and doing so again will only confirm for many Pakistanis that the U.S. is a fickle partner not to be trusted. Cutting U.S. military assistance to Pakistan would demoralize the Pakistan Army and jeopardize our ability to garner close counterterrorism cooperation, thus playing into the game plan of extremists seeking to create a sense of chaos in the country.

*Tribal Areas:* The Bush Administration's commitment to provide \$750 million over five years to develop the Federally Administered Tribal Areas (FATA) is a step in the right direction. Broad-based economic development of this impoverished area is necessary to uproot extremism. USAID has implemented assistance programs in the FATA for several years, including road building and school construction, and through opium cultivation eradication programs that were successful in the 1980s. USAID and the government of Japan are currently rebuilding 130 schools in the FATA. Although the U.S. will have to provide aid initially through Pakistani government channels, especially in areas where security is an overriding issue, USAID should seek out potential non-governmental organizations that could work in these areas so that eventually it can work through them rather than relying solely on the local administration.

Over the long term, U.S. assistance should encourage political reform that incorporates the institutions of the tribal lands fully into the Pakistani system. Some have argued that the Pakistan military is loath to implement political reform in these areas, and that only the democratic parties would move in this direction. Political parties are currently prohibited from operating in the FATA, while a political agent, or federal bureaucrat, runs the affairs of each of the seven FATA agencies. There are 12 seats reserved for FATA members in the National Assembly (the lower house of parliament) and eight in the Senate. However, parliament has no authority to legislate on matters concerning FATA, and the FATA legislators wield little authority.<sup>6</sup> The Pakistan People's Party (PPP) has petitioned the Supreme Court to enforce the Political Parties Act in the FATA that would extend Pakistan election laws to the region and encourage political activity. The petition claims that since the political parties are not allowed to field candidates for elections, the mosques and madrassahs (religious schools) have been able to assert undue political influence in the region.<sup>7</sup>

#### NUCLEAR ISSUES

Preventing Pakistan's nuclear weapons and technology from falling into the hands of terrorists is a top priority for the U.S. While there is no immediate threat to the security of Pakistan's nuclear weapons during the current political transition, Washington will need to be diligent in pursuing policies that promote the safety and security of Islamabad's nuclear assets. The results of investigations into Pakistani nuclear scientist Abdul Qadeer Khan's nuclear black market and proliferation network demonstrate the devastating consequences of nuclear proliferation by individuals with access to state-controlled nuclear programs.

Although A.Q. Khan avoided engaging al-Qaeda on nuclear issues, earlier revelations about a group of former Pakistani military officials and nuclear scientists who met with Osama bin Laden around the time of September 11, 2001, remind us of the continuing threat of the intersection of terrorism and nuclear weapons in Pakistan. On October 23, 2001, acting on an American request, Pakistani authorities detained Bashiruddin Mahmood and Abdul Majeed, two retired Pakistan Atomic Energy Commission (PAEC) officials. Since their retirement from the PAEC in 1999 they had been involved in relief work in Afghanistan through a non-governmental organization they established called Ummah Tameer-e-Nau (UTN). In November 2001, the coalition forces found documents in Afghanistan relating to UTN's interest in biological weapons. This prompted Pakistani security forces to arrest seven mem-

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<sup>5</sup> James R. Kunder, Acting Deputy Administrator, U.S. Agency for International Development, "U.S. Assistance to Pakistan," Congressional testimony before the Senate Committee on Foreign Relations, U.S. Senate, December 6, 2007.

<sup>6</sup> International Crisis Group, "Pakistan's Tribal Areas: Appeasing the Militants," Asia Report No. 125, December 11, 2006.

<sup>7</sup> "BB Moves SC for Politicking in FATA," *Daily Times*, July 31, 2007, at [www.dailymail.co.uk/default.asp?page=2007%5C07%5C31%5Cstory\\_31-7-2007\\_pg1\\_6](http://www.dailymail.co.uk/default.asp?page=2007%5C07%5C31%5Cstory_31-7-2007_pg1_6) (December 11, 2007).

bers of UTN's board, most of whom were retired Pakistani Army officials and nuclear scientists.<sup>8</sup>

Recent media reports reveal that the U.S. has been assisting Pakistan in improving the safety and security of its nuclear weapons over the last six years.<sup>9</sup> This kind of cooperation is possible because the Bush Administration carefully nurtured relations with Pakistan, including through provision of military hardware and military-to-military exchange programs.

Recent media hype surrounding the issue of the safety of Pakistan's nuclear weapons, including statements about the possibility of the U.S. seizing Pakistani nuclear assets, is damaging to the bilateral relationship. The current civil unrest does not directly endanger the safety of Pakistan's nuclear arsenal. The main threat stems from the potentiality of al-Qaeda penetrating the system clandestinely through retired officials with extremist sympathies as in the UTN case cited above. For this reason, it is more important to focus on helping Pakistan institute procedures like improving its personnel reliability programs than to discuss openly plans for emasculating its nuclear capabilities. Former Deputy Director of the CIA John McLaughlin summed up the situation well when he said recently that he was confident "that the Pakistanis are very serious about securing this (nuclear) material, but also that someone in Pakistan is very intent on getting their hands on it."

#### U.S. POLICY RECOMMENDATIONS

*Pressure Musharraf for Free Polls.* The U.S. must make up for lost time in its support to Pakistan's civilian politicians and civil society. For too long, U.S. policy-makers have equated the political survival of President Musharraf with success in the war on terrorism, and have largely avoided dealing with civilian leaders. When Washington finally began to shift its policy last year and support Benazir Bhutto's return to Pakistan, it made the mistake of picking favorites and failed to support the return of the other major opposition leader, Nawaz Sharif. The U.S. must support the process of democracy and not any particular individual or party. The Pakistani people, by and large, do not support extremist policies and would likely vote into power one of the mainstream democratic parties—so long as they have a range of political choices and perceive the elections as transparent and free. A popularly elected civilian government could provide a public mandate for fighting terrorism and extremism. Musharraf's loss of public support and his close association with the U.S. and its counterterrorism policies has translated into a loss of public support for fighting terrorism in general.

To support free polls, the U.S. should publicly call on Musharraf to lift media curbs; release all activists, lawyers, and politicians detained during emergency rule—including President of the Pakistan Supreme Court Bar Association and PPP leader Aitzaz Ahsan; work with the political parties to ensure the neutrality of the election commission; re-establish the independence of the judiciary; and lift unnecessary restrictions on international observers, such as banning exit polling.

*Develop a Strategic Approach to Defeating the Taliban and use Tough Diplomacy to Bring Islamabad on Board.* While continuing large-scale military and economic assistance programs to Pakistan, the U.S. should use tough and reasoned diplomatic persuasion to convince Islamabad to work closely with the U.S. not only against al-Qaeda but also against the Taliban, emphasizing that such an approach will serve Pakistan's long-term strategic interests. Convincing Pakistan on this front becomes much more difficult if we start cutting military assistance programs.

We must avoid repeating past mistakes. In his new book *How We Missed the Story: Osama bin Laden, the Taliban, and the Hijacking of Afghanistan*, author Roy Gutman details many of the mistakes made by U.S. officials in developing policy toward Afghanistan and Pakistan in the run-up to the 9/11 attacks. In Gutman's book, a senior retired Pakistani Army official notes that U.S. policymakers could have convinced Pakistani military officials to adopt a tougher policy toward the Taliban in the late 1990s. He said that top U.S. officials should have sat down with Pakistan's top military strategists and convinced them that the Taliban was ultimately a threat to Pakistan itself. The senior retired military official noted that Pakistan at the time feared that putting pressure on the Taliban would provoke an extremist backlash, but that well-argued outside persuasion could have coaxed Pakistan into "extricating itself to the winning side."<sup>10</sup>

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<sup>8</sup> Zahid Hussain, *Frontline Pakistan: The Struggle with Militant Islam* (New York: Columbia University Press, 2007), pp. 154-155.

<sup>9</sup> David Sanger and William Broad, "U.S. Secretly Aids Pakistan in Guarding Nuclear Arms," *New York Times*, November 18, 2007.

<sup>10</sup> Roy Gutman, *How We Missed the Story: Osama bin laden, the Taliban, and the Hijacking of Afghanistan*, (Washington, DC: Unites States Institute of Peace, 2008), pp. 163-164.

Gutman provides several examples of a fragmented U.S. policy toward the terrorist threat in Afghanistan and Pakistan throughout the 1990s and the lack of a strategic, diplomatic approach to achieve the goal of defeating al-Qaeda and its Taliban affiliates. To develop such a strategy, it is important to understand the symbiotic relationship between the Taliban and al-Qaeda. The Taliban receives valuable assistance from al-Qaeda in fighting coalition forces in Afghanistan, while al-Qaeda relies on Taliban support to sustain a safe haven in the Pashtun-dominated areas of Pakistan. While it is possible to peel off “guns-for-hire” that may not be ideologically motivated by anti-West pan-Islamism, it would be folly to believe the U.S. or Pakistan can convince the Taliban leadership to break its relationship with al-Qaeda. As Gutman notes, “pursuing patient diplomacy with the Taliban in 1999—even after top U.S. officials knew that bin Laden had effectively hijacked the regime . . . sent a signal of indecision and weakness to both Mullah Omar and bin Laden.”

In many ways, we are in the same diplomatic position that we were during the late 1990s with Pakistan. We need Pakistan to crack down harder on Taliban elements within its borders but its fears that this will cause a backlash in Pakistan and its mistrust of U.S. objectives in the region are hampering our ability to obtain full Pakistani cooperation. It is essential that the U.S. and Pakistan develop a strategic dialogue on defeating the Taliban/al-Qaeda phenomenon and view the issue in a context that also addresses Pakistan’s strategic stakes vis a vis Afghanistan. The Bush Administration’s recent plan to send 3,000 additional U.S. Marines to Afghanistan is an important signal that the U.S. is committed to stabilizing Afghanistan and ensuring a moderate, pro-West regime succeeds there.

*Build up Pakistan’s Capability to Confront Terrorists and Focus on Developing Tribal Areas.* The U.S. will need to build up Pakistan’s capacity to take on the Taliban and al-Qaeda in the Tribal Areas and focus substantial attention on developing these areas economically. Washington must convince Islamabad to work more closely in joint efforts that bring U.S. resources and military strength to bear on the situation in North and South Waziristan and employ a combination of targeted military operations and economic assistance programs that drives a wedge between the Pashtun tribal communities and the international terrorists.

A large-scale U.S. troop invasion of Pakistan’s Tribal Areas could have disastrous consequences for the Pakistani state and would not provide a lasting solution to the problem. A more effective strategy involves working cooperatively with Pakistan’s military to assert state authority over the areas. Once they are secure, substantial assistance should be provided to build up the economy and social infrastructure. Washington’s pledge of \$750 million to develop the Tribal Areas over the next five years is welcome, but the aid should not be delivered until it is clear the Pakistani authorities have the upper hand in the region and can ensure the aid does not fall into the wrong hands. This will require U.S. access to the region and a clear commitment from the Pakistan government to counter Taliban ideology.

The U.S. should conduct counterinsurgency training programs for the Pakistan military, especially the Frontier Corps, whose troops know the terrain of the FATA but have little experience with counterinsurgency operations. This training will both build trust and stronger ties between the U.S. military and its Pakistani counterparts, as well as better prepare the Pakistan security forces to fight al-Qaeda and Taliban in the Tribal Areas.

To address rising Islamic extremism, Washington should encourage the Pakistan government to enforce the rule of law against militants who use the threat of violence to enforce Taliban-style edicts and to close down madrassahs that are teaching hatred against the West that leads to terrorism. The Pakistan government also needs to take steps to root out from the security establishment any remaining pockets of support for militants, including those with links to the Kashmir insurgency or the Taliban. Without a complete break from Islamist militancy, Pakistan’s security apparatus will be increasingly unable to protect Pakistani citizens from terrorist violence, leading to further destabilization of the country.

*Maintain Robust Assistance Programs.* The U.S. should refrain from cutting assistance to Pakistan because it sends a wrong signal at a time when we need to demonstrate that the fight against terrorism is a joint endeavor that benefits Pakistan as much as it does the U.S. and the global community. Because of the abrupt cutoff of U.S. aid to Pakistan in 1990, the U.S. lost valuable leverage with Pakistani leaders and created a feeling of mistrust between our two countries that still plagues the relationship. The Pakistan military views the U.S. as a fickle partner that could exit the region at any time. This lack of faith in U.S. commitment to the region hurts our ability to garner the kind of counterterrorism cooperation we require from the Pakistani government. Pakistani soldiers are dying in the battle against terrorism, and average Pakistanis are beginning to question whether these sacrifices are being made solely at the behest of the U.S. rather than to protect their

own country. Conditioning assistance only fuels the idea that Pakistan is taking action to fight terrorism under coercion, rather than to protect its own citizens.

In conclusion, the U.S. must remain closely engaged with Pakistani civilian politicians and the military leadership during the political transition. The U.S.-Pakistan relationship is crossing troubled waters, and anti-Americanism is reaching the boiling point. A strong U.S. public stance supporting the process of democracy without focusing on any one particular leader or party would help calm the situation. Despite frustration over lack of Pakistani success in uprooting the terrorist safe haven in the border areas, the U.S. should refrain from cutting military assistance and develop a strategic approach to addressing the problem.

Mr. ACKERMAN. Thank you very much. Dr. Fair, if I can begin with you. In your statement you note that pursuit of the status quo in terms of policy by the United States will lead to more rather than less conflict with Pakistan. What change in United States policy would you like to see in order to create the conditions for change in Pakistan that would result in the kind of prosperous Pakistan that you describe and we would all like to see?

Ms. FAIR. Well, it might be helpful to sort of explain what I meant by that. I share Ashley's analysis of the Pakistan military. It is not just a will issue. It is also a capability issue. But when given the opportunity to make acquisitions, they actually haven't made acquisitions to support the counterinsurgency effort. They have made acquisitions to support their strategic concern vis-a-vis India. I am also very concerned that while Musharraf has pursued some militants, other militants have enjoyed sanctuary in Pakistan and indeed remain protected assets.

The problem with Pakistan is that there is a very complex militant milieu, some of which are considered to be prized assets in its struggle vis-a-vis India and of course to project its interests in Afghanistan.

My concern has been that the United States has episodically encouraged the Pakistanis to focus on al-Qaeda in recent years, particularly after the resurgence of Taliban in Afghanistan, to focus on Taliban assets, but there has never been a consistent and clarion demand that all militant groups and their infrastructure in Pakistan is bad news, is bad news for Pakistan, the region, and in fact as all of the conspiracies that have been busted up in the U.K. and recently in Germany demonstrate, they have all had footprints in Pakistan.

So the continuation of the status quo, which is making ad hoc intermittent demands without a coherent strategy, as suggested by Ms. Curtis, actually increases the likelihood for the United States to engage in unilateral actions in FATA because we know there are a number of very problematic facilities in the tribal areas and yet the Pakistanis have not acted on it.

So a straight-lined projection of our current engagement I want to argue will compel the United States to take actions that are really not in our long-term interests and certainly further destabilize Pakistan.

Mr. ACKERMAN. Are you saying the United States hasn't made those demands of Pakistan even behind the scenes?

Ms. FAIR. We have made episodic and intermittent demands. A really important period was in May 2002 after the so-called Kaluchak massacre took place in the context of the Indo-Pakistan conflict that began with the Indian Parliament attack in December 2001. There actually was a cessation in terms of infiltration and ac-

tivities in Kashmir. But the actual militant infrastructure still exists in Pakistan. Pakistan has not made a strategic decision to abandon the use of militant proxies. And this is my concern; the U.S. has not been consistent in making this point. It has allowed the Pakistani Government under Musharraf—but it is not simply Musharraf. This is a historical long-standing policy of Pakistan—to use proxies and we have not been adequately clear that this is a problem for the entire region and as the recent developments over the last few years demonstrate, it is really—

Mr. ACKERMAN. Dr. Tellis, if we made those demands, how likely would it be that Pakistan would be compliant?

Mr. TELLIS. I think we began to make those demands in the aftermath of 9/11. Musharraf pushed back by reminding us how difficult it was going to be to mount a comprehensive war against all terrorist groups. That was certainly true in December 2001. It was not true as time passed. Unfortunately, the argument that he made came to become a permanent fixture of our policy, and we never pushed back to make the war against terrorism comprehensive.

Mr. ACKERMAN. With the war against terrorism supposedly the prime focus of the Bush administration, why would the Bush administration not make these demands?

Mr. TELLIS. Because I think there was a fear that if we pushed too hard, we might push him over the edge.

Mr. ACKERMAN. Was that well founded?

Mr. TELLIS. In my judgment he has been far more resilient than we have given him credit for.

Mr. ACKERMAN. Ms. Curtis.

Ms. CURTIS. Yes. I would argue we are sort of in the heart or the eye of the storm because, as I argued, the Red Mosque standoff was a major event in Pakistan where Pakistan, actually the Army did make the decision to have a confrontation and that has had wide ranging impact. We have seen attacks on Army installations, police forces, the intelligence services themselves. So I would argue that right now we are seeing this happen, but we have to hold Pakistan's feet to the fire.

I would agree with Dr. Fair, in 2002 we were successful in getting Musharraf to stop a policy of infiltrating militants into Kashmir, but we were not successful in getting him to close down the infrastructure that supported these militants, and this is part of the problem and why we are seeing the blow-back in Pakistan right before our eyes. But I would argue that instead of abandoning Pakistan at this crucial moment, we need to sit down, have a serious discussion and work together, so that we can overcome this ideology of supporting religious militancy to achieve your strategic goals.

Mr. ACKERMAN. One question before I go to Mr. Royce. Dr. Tellis, you said that the Bush administration was probably concerned about pushing him over the edge. Is that because—I mean, I am not sure what you mean by over the edge. Does that mean that he would leave us as an ally or he would not be successful and would be replaced by somebody different, worse, or the Taliban would come in or—

Mr. TELLIS. I think in early 2001, in 2001–2002 the concern was for his physical security, that if we pushed him into a waterfall against all, we would in a sense stir the pot up, bring the crazies out of the woodwork, and that could end up in physical threats to Musharraf himself. There was clearly some truth to that fear as subsequent events showed. But over a period of time the Pakistani polity I think came around to the idea that they were involved in the war against terrorism. And so it simply became an issue of under what terms would this war be pursued? And what the Pakistani leadership did was essentially segment the war into terrorists that they would go after because they saw the United States to be very invested in a certain class of terrorists, primarily al-Qaeda, while giving other terrorists the pass because they were important to Pakistan's interests. And we, over the years, have not been consistent enough in getting the Pakistanis to go after these groups which are the residual. In fact, in my recollection, it was only in 2005–2006 that we really started pushing Musharraf to go after the Taliban. That is a full 3 years after these operations began in earnest.

Mr. ACKERMAN. Mr. Royce.

Mr. ROYCE. Thank you, Mr. Chairman. There was an article in the *Wall Street Journal* that reported that counterterrorism analysts, they seemed to collectively look at this and say, 2008 is going to be the pivotal year in terms of operations against al-Qaeda in Pakistan. And their argument can be summed up as we have been making progress against al-Qaeda in the Middle East, in Southeast Asia, they are running out of places to operate. I think Arnaud de Borchgrave said, most of the terrorist trails lead to Pakistan, lead today to the Northwest Frontier, according to MI5. So what we have is al-Qaeda being defeated around the world except there in the Northwest Frontier where al-Qaeda groups are gaining power. And if Islamist groups gain a greater toehold, the terrorist network will have its strongest base of operation there since the Taliban ruled Afghanistan. Now they have lost their sanctuary elsewhere. So you know, is this an accurate analysis? And second, what do we do about a society where 1.3 percent, 1.7 percent of the budget goes to education, 30 percent goes to the military? How do we get this reformed?

Mr. ACKERMAN. Pending the answer, the Chair will announce we are in the process of a vote. We will continue the hearing and just roll the members in and out.

Mr. ROYCE. Great. Thanks, Mr. Chairman. I mean the Koranic schools right now are turning out a generation that we are going to confront in another 15 years. That has not been confronted. We don't want troops on the ground in the Northwest Frontier clearly. So give me the specifics of how, now that all of this is at risk, how do policymakers bring that kind of pressure for change on that military government in Pakistan. We knew we were waiting for elections. Well now we are dealing with a situation that is very dire. How do we bring that hammer, how do we get that changed given what is at stake?

Ms. FAIR. There are a couple of ways of answering your question, sir. I was a part—in fact, the USIP survey that the chairman cited initially was a project that I had brought to fruition. I look at those

data, and I see many things about which I am encouraged. When asked about right-of-way of militant groups, what I saw was very large majorities of individuals who said, I also believe that these groups pose a risk to my nation. So in those data, in those respondents, I actually saw many allies among the Pakistani polity. But I also saw some very disturbing things. I saw as many as 20 percent or even higher of individuals who believe that certain sanguine area attacks against civilian institutions, military targets were acceptable. So when I look at those data, I see that we have many allies but we also have many people who clearly don't share our views about the threat that these groups pose.

Mr. ROYCE. Thank you. Dr. Fair, I am going to go to this vote because I haven't cast it yet. But I am going to have your answer on the record. And Dr. Tellis and Ms. Curtis, thank you very much. Please. I would encourage her to continue her line of thought though.

Mr. SCOTT [presiding]. Thank you, Mr. Royce. We will continue the hearing while members come in and out. It is my turn for questions.

I would like to pick up on and get your responses to what I believe are the three most critical areas right now for us to get a clear vision on, and they all deal with credibility and security in Pakistan and the nation. And the first one is the assassination of former Prime Minister, Premiere Bhutto. What is the feeling within the Pakistani people as to two things, one, do they feel that there will be a fair investigation that they will believe in? And secondly, what level of feeling is there among the Pakistani people that Musharraf had a hand in the assassination?

I would like to get each of your comments on that one first before I proceed to the next three areas. Dr. Fair?

Ms. FAIR. On the first point, you already see Op-Eds decrying the way in which the Pakistani Government is denying access to Scotland Yard. I think there is a very plausible explanation for this. The most likely set of individuals culpable were associated with these Deobandi militant groups, some of whom are either current or previous assets of the ISI, so I wouldn't actually expect the government to be fully forthcoming with Scotland Yard.

On the second point, the Gallup organization just released a poll of Pakistanis. And there is widespread belief that Musharraf and other elements of his government were responsible. In fact they have renamed the—the PML—Q of course is his preferred party. They have renamed it PML-Qatil. Qatil of course means "murderer" in Urdu.

Mr. SCOTT. That is the majority feeling of the Pakistani people, Musharraf had a hand in the assassination?

Ms. FAIR. The plurality of views was that he—they asked about a variety of institutions that were involved. But the plurality answer was that Musharraf as well as various agencies in Pakistan were involved.

Mr. SCOTT. All right. Dr. Tellis.

Mr. TELLIS. I concur with Chris' judgment that the view in Pakistan is that there is some degree of official complicity. I do want to make the point though simply on the basis of a rational reconstruction, as it were. It is hard to imagine Musharraf directing

such an event. I think it is very important to recognize that. This assassination fundamentally undermines his own self-interests. What I think is more plausible is the scenario that Chris laid out, that whoever undertook this act had an internecine web of linkages with people in different parts of the Pakistani intelligence establishment, and those linkages could become an embarrassment if there were a thorough going investigation, which would account for some of the efforts at retrenchment that are now being perceived.

Mr. SCOTT. Is Scotland Yard efficient enough to defray the charges that this is a whitewash? Does Scotland Yard bring the credibility that is needed or do we need to go further?

Mr. TELLIS. I think Scotland Yard has great credibility, particularly in South Asia, particularly because of the old British links to the subcontinent. The problem will not be Scotland Yard's credibility but simply the quality of the material evidence at this juncture. Given the fact that there was no appropriate chain of custody maintained with respect to the crime site, with respect to the records pertaining to her medical treatment at the hospital and other such, and it is the inability to get access to this primary material that seems to have been compromised that I think will raise questions about the investigation.

Mr. SCOTT. Okay. Ms. Curtis, do you want to—

Ms. CURTIS. Yes. I don't think most Pakistanis think there is going to be a fair investigation. The poll that was cited—actually 50 percent of Pakistanis polled believed either the Musharraf government or politicians close to the government were responsible. I think it was divided about half, 25 percent and 25 percent. So this demonstrates where the feeling of the Pakistani population is on this.

And I want to emphasize Dr. Tellis' point that Musharraf in no way benefits from this assassination. In fact, I think it has been a disaster for him. And I think this is one thing to keep in mind. But in some ways the government has been its own worst enemy. For instance, the Interior Ministry coming out the day after quickly claiming that she died by hitting her head when video footage shows it probably was by a bullet really undermined, I think, the credibility of the government from the beginning. And I think this is why Scotland Yard was allowed to come in and help with the investigation. And I think that does help a little bit. It shows that the government is willing to have outside investigators. But as Dr. Tellis pointed out, they don't have a lot to work with. It doesn't look like the body will be exhumed. This would provide a major breakthrough. But if the family is not going to agree to it, then it will be very difficult, I think, to get to the bottom of the investigation.

But just to point out again, the links that exist within the security establishment and extremists and terrorists like we saw with the escape of Rashid Rauf, this is just another example. It is opaque, it is not clear. But certainly the way things have proceeded, it suggests that there is a problem there.

Mr. SCOTT. All right. Let me get to—Mr. Pence is back. He will want to ask his questions. I maybe can come back with a second turn. But while I am here, I will get to my next most important

issue and I will save my third, which is—that I raised earlier—the nuclear arsenal.

First of all, who controls Pakistan's nuclear arsenal? And will it remain safe and secure in the hands of responsible Pakistani officials if the country and stability worsens?

Let's start with you, Ms. Curtis. We know the answer to that, whose hands it is in.

Ms. CURTIS. Well, the military is firmly in control of the nuclear weapons. The Security Plans Division organizes the safety and security of Pakistan's nuclear weapons. So I think the sense is that they are firmly under control of the senior military leadership and I think Pakistan has been working on improving security procedures over the last few years. And certainly Pakistan military officers have no interest in allowing terrorists to get their hands on their nuclear weapons material.

Mr. SCOTT. Let me ask you—I hate to interrupt you here. But in earlier testimony it was stated, that first of all, Musharraf—I mean the Pakistani Army I think somebody made that statement—is very much anti-American. That other statement was that the Pakistani Army, which controls the nuclear weapons, increasingly is being infiltrated by sympathizers, if not members to militant groups. So if this is the case, do you still feel that this is a secure situation with the military that has these leaks and weaknesses in it as far as the nuclear arsenal is concerned?

Ms. CURTIS. I would characterize the senior military leadership in Pakistan as pro-West, interested in fighting terrorism, keeping Pakistan stable and secure. I realize that we don't have good insight into the lower levels of the Pakistan military and what is happening there. But I would I guess agree with Dr. Tellis' earlier statement that the concerns that we have about the Pakistan military would be sort of years, 5 or 10 years down the road. But right now I think we believe that the senior military leadership is pro-West, supports a strong United States-Pakistan relationship.

In terms of the security threat, as I stated in my opening remarks, I don't believe that the current civil unrest endangers the safety and security of Pakistan's nuclear weapons. The threat is more insidious. It is one of al-Qaeda gaining the sympathies of either retired scientists or military officials and gaining access that way. So that is what we need to be guarding against and taking extremely seriously.

Mr. SCOTT. I might add, this is one of the main issues that the world—not just we in the United States, but the entire world is worried about, somebody getting their hands on this nuclear arsenal in Pakistan while they are going through this very volatile, volatile period.

Dr. TELLIS, one question I want to ask you about, in your opinion or if you have knowledge to this, are Pakistan's nuclear weapons already assembled? And if any of you have any questions to this? Or are different components stored separately, only to be assembled after a decision is made to use them?

Mr. TELLIS. Let me address that question and also add something to what Lisa has already said. I think Pakistan's nuclear weapons routinely are maintained in non-assembled form. That assembly generally takes place under conditions of crisis and in ac-

cordance with a set of guidelines, depending on the gravity of the threat. So on a day-to-day basis, I don't think there is any danger of certainly the safety of the weapon; that is, the weapon inadvertently being detonated or exploding because no fully ready devices as best one understands from the literature on the subject seem to exist. So you are really dealing with parts of an arsenal as opposed to a complete ready arsenal.

Let me say something else about the question of security though. There is a subset of the Pakistan military that controls its strategic assets. It is not the military as a whole. And therefore, you can hold both propositions simultaneously. If there is corrosion in the military, especially at the lower ranks, and yet from the thesis that the weapons are safe because the subset of the military that controls the arsenal is the Strategic Forces Command, which essentially is becoming quickly an elite force within the Pakistani military. There are a special set of procedures, regulations, safeguards, oversight mechanisms that apply to this force. And at least thus far since the late 1990s they have put in place a variety of physical and institutional procedures designed to protect these assets.

Think of it from the Pakistani point of view. Pakistan's nuclear weapons are the crown jewels in its inventory. They don't want these to be lost or compromised in a way that would cause trouble for the state.

Mr. SCOTT. Finally, let me ask you, is there a contingency plan in place, given the very volatile, unstable situation in Pakistan, some of the things we have said about the infiltrations possibility in the military, are there any contingency plans in place that we could use in the event that the military loses control of this nuclear arsenal, and with that caveat, the involvement of the United States to assist with this and play a role in this contingency plan?

Mr. TELLIS. I can't answer the question, sir.

Mr. SCOTT. Do you feel that there is a need to have a contingency plan in the event such an unfortunate thing could happen? There is, as you mention in your testimony, that while you are sure, you feel confident, you are not absolute. This is what is on the nerve's edge of the people of the world in this situation. And perhaps if there is not a contingency plan, maybe that might be something that is a positive outcome of this hearing, that it might need to be explored.

Mr. TELLIS. I think as a prudential measure, it would be useful to think about such contingencies, particularly from the point of view of the demands they would make of the United States, most importantly with respect to assisting Pakistan deal with the crisis of the kind that you describe. But this is not a subject that I think one can actually discuss in an open forum anyway.

Mr. SCOTT. Thank you very much. My time in the chair has expired. I will turn it back over to the chairman. Thank you.

Mr. ACKERMAN [presiding]. Mr. Pence.

Mr. PENCE. Thank you, Mr. Chairman. And I thank Mr. Scott for his courtesy in preserving a couple of questions for a second round. I want to thank the panel and apologize for the back and forth you have had to endure today. But I want to ensure you that your testimony, your written testimony and your comments in the record are

enormously important to the members of this committee and enormously timely.

Two quick thoughts, and I want to respect my colleagues' time and the lateness of the hour on the day.

Ms. Curtis, you said in your written testimony—and it actually jumped out at me in your presentation here today—that Musharraf should be seen as “a transitional figure whose influence is likely to decline in the months ahead.” Seeing as how he has dominated Pakistan for 9 years, that strikes me as something of a bone-jarring assertion; and I wanted to give you a chance to defend that assertion beyond the scope of your testimony.

From where I sit, he can take the uniform off, but he is a military dictator. Where do you see him in the category of a transitional figure?

Ms. CURTIS. Sir, I think for U.S. officials and policymakers, it may seem like a bone-jarring assertion. But I think to many Pakistanis it, in fact, is not.

I think President Musharraf's credibility has plummeted over the last year. It began with the dismissal of the Supreme Court Chief Justice. It was compounded by the November 3rd imposition of emergency rule, which was widely unpopular. I think it polled 70 percent Pakistanis did not approve of that.

I think the handling or mishandling of the Bhutto assassination has further degraded his credibility with the Pakistani population; and I think what you are hearing from Pakistanis increasingly is that he is starting to become a source of instability in the country, rather than a source of stability.

I think that, you know, he has an opportunity to play a role, a unifying role for his country at a time of crisis and this would be by doing everything possible to ensure the credibility of an election. And if he takes those steps, then I think there is a chance that he can stay on for a certain period of time. But, of course, he will be sharing power with a Prime Minister; and, of course, we have a new Chief of Army Staff. And the Chief of Army Staff I think will be holding his corps commander meetings, significant decision-making body, without the presence of Musharraf.

So I think we just need to start thinking in terms of our policy and our planning of a time where we will be dealing with a more broad-based government.

Mr. PENCE. Forgive me for interrupting you, but you would anticipate his transitional status is derived from the advent of democratic elections in the country. Are you—

Ms. CURTIS. Yes, I think so. That is the point.

Mr. PENCE. Many of us—and I am—you know, I have supported aid to Pakistan. I believe that Pakistan has been a critical ally in the war on terror. I think we should continue to make the investments that we are making there, although that is my next line of questioning. But I am not altogether certain that we are going to be moving into real elections.

But your assumption is built on the assumption that there will be credible, actually free and democratic elections that take place. In that environment, you would see him, even if he stayed on as being a less significant figure given the power sharing and the presence of a Prime Minister?

Ms. CURTIS. My assumption is based on what I am hearing from the Pakistani community at large, various officials, et cetera, about his influence in the country. And based on a transition that seems inevitable, a political transition—and we have had many transitions, political transitions in Pakistan in the past. Certainly not in the sort of post-9/11 environment, but we certainly have seen political transitions in Pakistan in the past.

Mr. PENCE. Right. As you may not have noted in my opening statement, I noted the fact that all three of the witnesses said that it was important that we not—as we say back in Indiana, not put all of our eggs in one basket, that we not build U.S. policy on a particular individual or institution. And it seems to me that your testimony is very important in that regard as it underscores the need to develop our investments there and aid there in a way that does not bank on a particular individual, particular government.

Ms. CURTIS. And I think particularly at this time of transition and crisis that we are engaging broadly with a broad array of civilian politicians, military leaders, and keeping our options open.

Mr. PENCE. Let me ask a question, and I would love—Dr. Tellis, you brought up a very important point about oversight, and I am very interested. And the chairman and I don't agree on very much, except I find him to be a very keen intellect, and I can kind of tell when he is interested in doing some legislating and—at least I got the body language impression as the chairman of the committee. And I can tell you that the ranking member is very intrigued about amending the authorizing legislation here if we could do so in a way that would provide further authorization for oversight about the investments that we are making. And I won't belabor you with a detailed answer, but I would welcome any written submission after that hearing about what specific legislative fixes do you think we could engage in.

And I am very struck by the suggestion that we move away from a transactional paradigm where we provide Pakistan with certain funds and they do certain activities and then we provide more funds and they do certain activities. I think to the extent that we could have the oversight about the investments that we are making and then have the assurance that resources are being used in an ongoing and consistent way that would support U.S. interests in the region, it seems to me that that is very useful to do.

But I would welcome a brief comment on both of those points, if you can. But I also especially would welcome any suggestion you might have for the committee about specific changes in the authorizing legislation.

Mr. TELLIS. Let me speak quickly to the question of his diminished influence.

I agree completely with Lisa on the fact this we have entered essentially a post-Musharraf era in the sense that, until a few months ago, Musharraf was the singular locus of power and authority in Pakistan. Today, what we have is a gradual evolution to at least one more locus of authority and that is a Chief of Army Staff, who is separate from the President.

I would be very cautious—I understand the sentiment that you reflect when you say you think of him as a military dictator, but

it is important to recognize that he does not have line-level authority over the Pakistan military anymore.

Mr. PENCE. Not anymore.

Mr. TELLIS. And the interests of the Pakistan military do not always and entirely coincide, henceforth, with his own interests. And so General Kiyani will have to make some decisions about collaborating with Musharraf, but it will now be a collaboration that involves a tacit or explicit negotiation. And to that degree there is definitely a diminishment in Musharraf's power, to the degree that we might get a new Prime Minister who is charismatic, possibly even powerful, maybe a Supreme Court or a judicial system that bounces back into the game.

We are looking at a Pakistan where power is going to be diffused among multiple institutions; and I think part of the challenge for the administration and for the country is to, in a sense, protect the equities of all these, to maintain a balance with all of these forces.

On the second question of the suggestions with respect to how we can fix particularly CSF, I will be happy to submit a written statement after the hearing, because it is a complex issue, but I think that there are things that can be done.

The general principle, though, that I would just restate is move away from a system where we simply cut checks for whatever bills are submitted to us toward a system where we allocate moneys for specific tasks or specific programs. And to the degree we can get this kind of congruence between tasks that we support the Pakistanis and underwrite them for or specific programs that we want to see in place, I think we will have gone some way in checking the abuses that currently exists in the CSF program.

Mr. PENCE. I very much welcome that.

I have a sense that other members of the committee, including the chairman, would be interested in your recommendations; and given the attention that the chairman has paid to this issue today on the floor today and in the hearing today, I expect we will.

Dr. FAIR, very quickly, many of us spoke with genuine grief today on the floor commemorating the life and the work and the sacrifice of Prime Minister Benazir Bhutto. Hindsight is always 20/20, but—and I want to say this in a way that does not diminish at all the extraordinary courage that she demonstrated in returning to her country and taking a stand for freedom, but did it all happen too soon in this transition that we are talking about? And are there any lessons about the environment on the ground in Pakistan that we can derive from that terrible tragedy?

Ms. FAIR. Well, I think there are multiple issues. I think the strategy of bringing her back was flawed in the larger sense that the United States did not genuinely see the January '08 elections as a means of restoring Pakistan to democratic governance as much as it saw Benazir Bhutto being able to participate in those elections to give, actually, President Musharraf some sort of democratic credibility.

So this was certainly my concern in the first place, that this had less to do about shifting the centers of power in Pakistan than it did about extending Musharraf's lease on life.

And with that point, I actually wanted to emphasize what Dr. Tellis said about Musharraf. When he took off his uniform and ap-

pointed—and his successor, Kiyani, became Chief of Army Staff, the interests of the Army and the interests of Musharraf are no longer necessarily aligned. And I anticipate that it is likely in the February, 2008, elections that we are going to get a Prime Minister in place with whom President Musharraf does not terribly get along with, even if it is a Prime Minister from his preferred party, PMLQ. Their interests are likely to quickly diverge, and then General Kiyani has to make a choice.

In the past, for example, with Ayub Khan, his decision to step down and pursue other options really came because the Army said, sir, you served your country but now are a source of instability, not a source of stability. So I really do anticipate that, given that much of the election has already been sort of pre-cooked, that we are going to get an outcome that is either unstable because it does not accord with the wishes of the people or that you actually get a coalition of opposition parties in place that don't get along with Musharraf. So I actually don't see these elections as sort of bringing more stability but rather different kinds of instability that we have yet to anticipate.

So I guess it does not necessarily strictly answer your question. But I would like to emphasize that it is really time for a real plan B. Plan A was to bring Benazir Bhutto back to extend Musharraf's lease on life. We need a real plan B. Musharraf is, for reasons that we have all the stated, a declining asset in Pakistan. Pakistan is already seeing him that way, and parts of the Army also see him that way. So we need to be thinking about who is going to come out of this election, should the elections take place.

I share your anxiety about the elections taking place for a number of reasons, and we have to be prepared to deal with whoever comes out of that process, and I am very concerned that we are not in that position right now.

Mr. PENCE. Very helpful.

I yield back, Mr. Chairman. Thank you.

Mr. ACKERMAN. Mr. Berman.

Mr. BERMAN. Thank you, Mr. Chairman.

And I apologize for missing part of your testimony, and if your testimony commented on this issue, just tell me and I will read the testimony.

A recent issue of the *New York Times* detailed some of the assistance that we provided Pakistan since 9/11 to help secure its nuclear weapons. It describes a vigorous debate that took place within the administration on whether we should share advanced technology with Pakistan that makes it virtually impossible for unauthorized parties to arm and detonate those weapons. The administration decided at the end not to share this technology because some feared it would teach Pakistan too much about American nuclear weapons and others believed that such assistance would violate our obligations under United States law and the NPT.

Some in the scientific community feel strongly that was a serious mistake. Do you have any view on the subject, even if there are not any—isn't any immediate threat of Pakistan's nuclear arsenal falling into the hands of extremists, as I gather from your testimony—what I have been told is that your testimony sort of suggests that—

shouldn't we be doing more to minimize the possibility of that nightmare scenario?

That is question one. Then I will ask the second question and then shut up.

Dr. Tellis, you and I have discussed the United States-India nuclear deal on a number of occasions. Some believe the deal will make it much easier for India to expand its nuclear arsenal. Others say it won't make any difference. Whatever the reality, isn't it fair to say that this deal has created a perception in Pakistan that India will be able to build more nuclear weapons and that Pakistan will need to keep up, possibly with additional assistance from China?

The question: Given the political instability in Pakistan, is this the best time to be pushing a deal that will likely encourage Pakistan to build more nuclear facilities, produce more fissile material, and build more nuclear weapons?

Mr. TELLIS. Let me answer the second question first, and then I will answer the other.

I think the Pakistanis made a decision that the Indians would ramp up their nuclear arsenal long before the United States-India nuclear agreement, and the investments that the Pakistanis made both in terms of their nuclear production infrastructure as well as their delivery systems long predates the civil nuclear agreement.

Now, you have put your finger on what I think is a fundamental structural problem in the relationship between India and Pakistan, and that is the gross misperception that exists on each side about the other's intentions and capabilities. I was recently in a conference in Berlin where a very senior member of the Pakistani atomic energy establishment made a statement that was fascinating, where he said that India's low-capacity factors in its civilian nuclear power plants going back to the '70s can be accounted only by the fact that the Indians have been using their civilian nuclear plants to produce weapons grade plutonium going back now close to three decades.

I say this to illustrate the bottom line that I want to convey, which is while it is possible that the civilian nuclear agreement will only exacerbate their fears, I would argue that the Pakistani decisions that have already been made with respect to expanding their own capabilities were made long before the civilian nuclear program came to fruition. And so at this point I think there will be only marginal changes in Pakistani capacity, irrespective of what they believe on the civilian nuclear front.

On the first question of whether the United States should be doing more, I think there are real limitations legally with respect to the kind of technical assistance that can be provided to Pakistan. Most of the debates historically were about providing them permissive action links, technical controls on their weapons.

I argued for several years that what we ought to do is provide them at least rudimentary paths, what they call Category A and Category B paths, because these are essentially padlocks on containers which contain strategic materials. This I think the Pakistanis are actually capable of doing on their own, and it is my judgment that they have already moved some ways in producing technologies indigenously of this kind.

Now, the most sophisticated technologies that in theory could be provided—everything that goes beyond Category C paths and beyond—are designed embedded paths. They are not locks. They are integral to the design of a nuclear weapon. And even if we were to suddenly in a fit of generosity to provide it to the Pakistanis, there is no assurance that they could actually use them because we don't know what the design of their weapons actually are and whether they could actually seamlessly integrate this kind of path technology in their existing designs.

So my view is that, to the degree that we ought to assist—and I share your concern that our assistance should be ongoing on this issue—it should be assistance that focuses on doing things that are in many ways the real weaknesses: Personnel reliability programs, because that deals with the whole question of the seepage of the wrong kinds of people; perimeter security, which is extremely important in south Asia. These things can be extremely lax. Providing technical controls for surveillance of critical sites. They don't have to be necessarily related to nuclear weapons but any critical site. These are things that we can do under law and readily in a cooperative fashion, and these are things that we ought to do over the long term.

But I think we can actually stay away from the more recondite and esoteric technologies because I don't think these are needed right now.

Mr. ACKERMAN. Mr. Fortenberry.

Mr. FORTENBERRY. Thank you, Mr. Chairman.

I'm sorry this hearing has become so disjointed because I missed most of what you said; and some of this will sound, I am sure, repetitive as well. But are Pakistani civilian institutions sufficiently strong and mature to accomplish a diffusion of power? In other words, if we position ourselves to strongly demand democracy in order to promote civil society, justice, and rights with insufficient civil institutions to undergird and support those ends, could we actually undermine those ends? And this is, I recognize, a delicate balance and I think is the primary parts of some of your testimony.

The transcendent question is what Mr. Berman alluded to. Again, if that happens, how much more vulnerable are circumstances such as the nuclear weapons issues, the vulnerability of nuclear weapons falling into the hands of problematic persons? So that I think is the big question, the balance, this delicate balance here. So if you could comment on that, please.

Ms. FAIR. I think, to answer your first question, Pakistan civilian institutions either are failing, have failed, or never worked to begin with. And one of the facts of prolonged periods of military rule in Pakistan is that those institutions are weaker the day the General leaves than they were on the day the General came.

Nothing really illustrates to me the fake binary with which we see Pakistan as either democracy or security as was illustrated on the day that Musharraf declared emergency. Just as he was arresting human rights activists, journalists, political party workers, and other members of civil society, he was releasing about two dozen high-level Taliban operatives in exchange for some 300 officers and frontier corpsmen that were taken hostage in FATA.

My concern is and will remain that we have done too little to support those institutions. And I am fortunate. I speak Urdu. I have had wonderful opportunities to speak with Pakistanis from a variety of slices of life, and I am consistently impressed by how they say, why is it you say you support democracy, yet all you do is support this military dictator who actually erodes the fundaments of democracy? I think that is a really important point that we need to take to heart.

The second issue that I would like to bring to your attention is that there are very specific sectors that are essential to winning the struggle against extremism in Pakistan. One very important sector is the justice sector. This, of course, should involve police training. The Pakistani police are underpaid, they are poorly equipped, they are incapable of even collecting basic evidence. Forensic evidence is far beyond their scope.

But even if you had a trained police force that was capable of collecting and managing that evidence, when presented before a court of law the judge would not know what to do with it, because the system still relies on colonial-era legislation. It relies very heavily upon confession as opposed to evidence.

So this is a very important sector. Without a robust sector to provide justice, Pakistan's prospects for dealing with this menace with a law-and-order approach are obviously nil.

To address the political parties, particularly in the wake of Benazir Bhutto's death, it has become very fashionable to characterize the Army as the root of all of Pakistan's problems. Of course, it is much more complicated than that. For historical reasons, political parties in Pakistan were sort of stillborn. Certainly following the days of Zia and the emergence of the Pakistan's people's party, Benazir Bhutto's party, and then with the ISI-created PML affiliate of Nawaz Sharif, what we have seen the political parties do, they have been keen to bring the Army to broker their disagreements. They have all become very adept at using the military to secure their position when they are in opposition.

And the result of this is the Army is very keen to play this role, because it fosters the illusion that they are the only responsible managers of Pakistani security and it continues to ensure that the political parties are weak.

As a consequence of this, these parties cannot aggregate interests. The political—very basic things they are incapable of doing. They don't know how to read the law. They don't know how to get money for their constituents. Things that you all take for granted in the conduct of your job that your Pakistani counterparts cannot do. And yet these are the kinds of institutions that we really need to be focusing on if we want to develop a Pakistan and be a part of developing a Pakistan that is at peace with itself and at peace with its neighbors.

Ms. CURTIS. Yes, I would just bring out the importance of the fact that democracy takes time. Pakistan had democratically elected governments throughout the 1990s. The situation wasn't perfect, but you had the institutions functioning, you had the courts working. So, in a sense, democracy was working. There were problems of corruption throughout the society and there were weaknesses, but it was developing, and it takes time. And I would just reiterate

what Dr. Fair says, that every time you stop that development you set it back that much further.

And the point also about the mainstream parties, the Pakistan People's Party, the Pakistan Muslim League, Nawaz, if we allowed these parties to weaken, if we keep delaying elections and/or don't allow a fair and credible election that the people buy into, then we risk people pulling back from the political parties, political parties further weakening and having a situation similar to what we see in Egypt where you really only have Mubarak's party and the Islamic extremists.

Right now, the Islamic extremists—religious parties, we will call them “religious parties,” not extremists—poll at 5 percent. So if you would have an election and it is a credible election, very unlikely that they would win a majority of seats, highly unlikely. They will win some seats, they might even be a part of the coalition government, but they will not wield a great deal of influence within the system.

However, if we continue to set back the democratic process, you are going to risk a situation where the mainstream secular parties that largely see eye-to-eye with the U.S. on many issues are going to weaken and—which would benefit the religious parties. So I think that is the reason that we want to continue to encourage democracy. Granted, the institutions are weak. We should do what we can to strengthen those institutions to provide assistance.

I think it is a very positive step that we are now going to program that \$200 million that was formerly a direct cash transfer—the administration has just announced a few weeks ago that money will be projectized. It is my understanding that USAID is ready to program this into various projects: Education, democracy building. I think we are ready to do this. And we need to keep moving in that direction, and increasing our assistance to democratic institutions, education. Education is so important to the future of Pakistan and its development.

Mr. FORTENBERRY. And there is a sense of receptivity in Pakistan among certain sectors to this type of change of assistance?

Ms. CURTIS. The Pakistani people, you mean?

Absolutely. I think if you look back to our assistance programs in the 1980s in Pakistan, there was a lot of goodwill for Americans. There was a very large aid mission in Pakistan, a lot of grassroots assistance programs; and it definitely helped build the image of the United States in Pakistan. I think it was very important, these economic assistance programs.

I will argue the military assistance is also important, but the fact now that we have actually—we are going to program more of this assistance which we can more closely monitor will touch the grassroots of Pakistani society. The U.S. will get more credit, frankly, for the assistance rather than if it is provided directly to the Musharraf government. I think this is a step in the right direction, and it will pay off for us.

Mr. TELLIS. I think the weaknesses of the civilian institution has been the biggest challenge that Pakistan faces with respect to the long-term entrenchment of democracy. And the point that Lisa makes that, despite their infirmities, the temptations to in a sense

override them in search of quick solutions has only made things worse.

The one institution in civil society that has been quite remarkable in Pakistan has been the press. And even Musharraf to his credit, until very recently, actually permitted the press to operate as freely as one has seen at the high tide in Pakistani society.

But there are many other institutions that are dreadfully weak. Chris pointed to the fact of the justice system. I would expand the point to even the higher judiciary. The higher judiciary, the Supreme Court, consistently failed in its responsibility to uphold the constitution since the beginning of the state. It is almost after an interregnum of about 50 years that you have a Supreme Court justice who, for the first time, reaffirms the importance of the rule of law. This is welcomed. This is wonderful. Of course, he has come to a sorry end. We hope that we can pick up the threads and whatever dispensation comes our way.

But if you look at the others, if you look at institutions like Parliament, the Parliament in Pakistan is essentially a gigantic patronage machine. It is not a body where there is a serious discussion about national policy, leave alone legislative actions that they regularly vote on.

If you look at the political parties, the political parties are institutions that are held together simply by the charisma of individual personalities. There is no such thing as an inner-party democracy. Take away the leader and the party essentially folds.

If you look, for example, at other institutions like labor movements, the labor movement in Pakistan was essentially destroyed in the '70s; and it is really unfortunate that Pakistan today has neither a laboring class which can actually exert political pressure or a genuine capitalist class. What you have essentially are petty traders and robber baron capitalists, as opposed to individuals who are willing to stay and invest over the long term.

And, finally, civic associations. This is an area where there is relatively good news. In the last decade, there have been a plethora of civic associations that have focused on women's rights, that have looked at environment, that have looked at the dispensation of justice at the primary level, that have looked at education. I would really hope that as we think of our assistance programs, you know, in the next several years we spend some time thinking on how we can strengthen these associations.

Very often, they are ridden roughshod over by the Pakistani state, because they are essentially small players, but they make a real difference at the grass roots, and they are motivated by the highest of liberal ideals.

Mr. FORTENBERRY. Thank you, Mr. Chairman.

And I appreciate your testimony.

Mr. ACKERMAN. Mr. Carnahan.

Mr. CARNAHAN. Thank you, Mr. Chairman; and I thank the witnesses again for their flexibility and being here today.

I really appreciate the comments that each of you have alluded to in terms of the broader strengthening of civil society. That seems very evident for having opportunity for democracy to grow there and take a stronger root.

I guess I wanted to focus my questions today really on the status of the political leadership and then what the future holds and ask you to really give me a snapshot of what you think we have done from the U.S. perspective to date in terms of cultivating political leadership beyond Musharraf. And give me an idea of where we are with that and what else we should be doing.

Ms. FAIR. Well, sir, I'm sorry to report that I don't think we have done very much on that front. I will put the clock at the demise of political parties in this current period of military governance circa 2002. We were fairly acquiescent to a remanufacturing of politics to suit Musharraf's interests. Musharraf had deep antipathy, as we know, toward Benazir Bhutto and, of course, toward Nawaz Sharif. He set out to literally eviscerate those two mainstream parties.

The opposition that was cobbled together, the centerpiece of which was the Coalition of Islamists Parties, really comprise Musharraf's opposition of choice. The way in which the elections were conducted actually created favorable circumstances for that Coalition of Islamists to get more votes than they had in the past. But, in a tribute to Pakistanis, they still did not do that terribly well, even under conditions that were favorable to them.

We stood by as he let the ISI use various means of suasion to cobble together a new party that would serve his interest, the PMLQ. I understand that the Europeans were much more critical of those developments, and throughout his tenure he dedicated much effort toward continuing to make the PPP under Benazir Bhutto and the Pakistan Muslim League under Nawaz irrelevant by assuring that both of those individual remained outside of Pakistan. And actually, as Dr. Tellis noted, the parties really rely upon these charismatic figures; and I think what was demonstrated was that even in so-called exile they were able to exhibit some control over their parties.

Now we are in a state where the Pakistan people's party is certainly in disarray, owing at least as much to Benazir Bhutto's personal style of managing that party; and there is similar disarray in the PMLA. In the course of these 8 years, oddly, one of the beneficiaries has been the religious parties. They were pretty much allowed to be the only voice in Pakistan that made constitutional arguments. So, in many ways, it was Jamaat e-Islami and Jamiat Ulema e-Islami that really came out smelling pretty good and looking credible because they were the ones making constitutional arguments.

So for the longest time many of us were concerned that as long as President Musharraf continued to keep at bay the two mainstream parties that in fact political space for Islamists could expand. And, by the way, this is not a doomsday scenario. In no way do I mean expand to 50 percent, but they are able to have a street credibility that far exceeds their actual ability to collect votes.

So I think that is my long-winded answer. It is an elaborate way of saying that we have done very little to assure that Pakistan's political parties have become more effective over the course of the last 8 years.

Mr. CARNAHAN. And, briefly, the second part of my question, what should we be doing to foster that broader dialogue with emerging political leaders there?

Ms. FAIR. Well, I think what we do in a very small scale at the NDI and IRI, which is training political leaders at various levels. The main issues with Pakistan's political parties, in the case of PPP, it respects feudal interests. It does not aggregate the interests of the electorate. And in the case of the Pakistan Muslim League, particularly under Nawaz, all the Pakistan Muslim League variants do this, they represent industrialist interests.

Elections—people don't vote for someone because they think they are going to actually do something for them. They cast their vote for someone because of family loyalties, professional loyalties or other elite loyalties.

So, over time, what you would like to see are political parties that truly operate as political parties, aggregating interests, delivering services to their constituents, and that people vote with that expectation. We are nowhere near that in Pakistan.

So I think we do need to expand training programs. I mean, there are just very basic things. Many people don't know how to read the law or read a budget to figure out what resources they have at their disposal.

Musharraf, by the way, was very aggressive—we supported it with USAID—his local governance plan. The local governance plan which we supported was a means by which he was able to strip politics at the local level. So we have had several years of active efforts to denude local politics and to separate them from political entrepreneurs.

So we have a lot to undo, and we can start by really reconsidering that local governance issue by training political workers. And I really want to emphasize what Ashley said about—what Dr. Tellis said about civic associations. It is so easy to overlook them because they are not as compelling as nuclear security. But I guarantee you there will be no leader in Pakistan that can simply by fiat modernize that country. This is what we thought Musharraf could do with his enlightened moderation. It was folly.

You need the support of the civic associations. They are the folks on the ground who can initiate discussion about what Pakistan is going to be over the course of the 10 years. They are the ones that can forge consensus. So we neglect those organizations at our peril and at the peril of Pakistan.

Mr. CARNAHAN. Thank you.

Dr. Tellis?

Mr. TELLIS. I concur with great regret, actually, with everything that Chris Fair has just said, because it really points to the structural nature of our failure. It is not simply that a policy here or a policy there has been kind of misaligned. But in terms of just the thrust of how we have approached the problem, it has been some degrees removed from what the situation actually requires.

Let me say several things in this regard. First, we are playing catch-up. We are trying to put in place belatedly an effort to reach out across a very broad spectrum of entities in Pakistan. We always did this at the diplomatic level. Our ambassadors our missions out there reached out to these people. What we did not have

was an emphasis that matched that at the level of policy. I think that is beginning to happen.

The two things that I think we absolutely need to do going forward, especially in the next few months, is, first, prevent failures of process. Especially process—the process revolving around the elections. We really need to make certain that this election yields results that the Pakistani people feel are acceptable. Because if it turns out to be anything other than that, I think we are going to end up compromising not simply democracy in Pakistan but the things that have also mattered to us, like counterterrorism. So preventing failures of process I think are going to be the most important thing that the administration has to think of in the next 4 to 6 weeks.

Over the longer term, I think the strategic challenge is how do you keep what is our traditional and what will be our continuing interest in counterterrorism in balance with the other objectives of strengthening democracy and assisting Pakistan's economic transformation?

The problem has been that we have never had policies that have integrated these three objectives in a seamless sort of way. We have paid lip service to the importance of these objectives but, in practice, have let the exigencies of counterterrorism essentially determine everything that we do. So the long-term policy going beyond the election will be bringing these objectives in balance once again, and we will have to do this in multiple ways. It will have to be done in our diplomacy. It will have to be done programmatically in the way that we provide assistance. It will have to be done in the entire nature of our society-to-society and people-to-people relationship with Pakistan.

Mr. CARNAHAN. Thank you.

Ms. CURTIS. I will just be brief.

It is an excellent question, and I think we are going to have to make up for a lot of lost time with regard to meeting with Pakistan's civilian politicians, engaging with civil society. I think for too long U.S. officials were unwilling to even engage with civilian politicians for fear of undermining Musharraf's position.

So I think the U.S. began to shift its position last year, but, unfortunately I think the administration went about it the wrong way and that was in supporting the return of one of the major opposition leaders but not the other. This gave the impression that the U.S. was somehow trying to micromanage the political situation.

I think a better approach is to stand up for principles and talk about, you know, objectives. For instance, calling for the return of the major opposition leaders as a way to build toward democracy, rather than supporting individuals or personality. So I think that was a mistake.

Like I said, it is about engaging and not just the top leadership. There are plenty of politicians in Pakistan, sophisticated politicians struggling for democracy; and these are the type of people that we need to be engaging. And we need to be willing to stand up for them when they are under pressure.

For instance, Aitzaz Ahsan, who is the President of Pakistan Supreme Court Bar Association, has been under house detention since emergency rule. I think the Ambassador—our Ambassador tried to

meet with him. But, you know, this is something that we need to point out. This is a civilian politician. As far as I know, he has not broken the law. In fact, he has been somebody who has been willing to stand up to the extremists, to fight for democracy in his country. These are the kind of people we need to be standing up for and engaging with.

Mr. CARNAHAN. Thank you.

Thank you, Mr. Chairman.

Mr. ACKERMAN. Ms. Jackson Lee.

Ms. JACKSON LEE. Mr. Chairman, thank you very much for, first, your leadership on the resolution that was debated today on the floor regarding former Prime Minister Benazir Bhutto and then for this very timely hearing.

I think the tragedy of this hearing, parallel to its importance, is, of course, one of the Pakistan's bright lights has lost her life. And although we may disagree on the politics of an individual, I don't think that we can deny that former Prime Minister Benazir Bhutto and her family have had a history of sacrifice but also a history of commitment to the Pakistani people.

And going forward I think as I listened to the discussion—and I, too, apologize for not hearing the entirety of your testimony—what strikes me is, how do we reach the Pakistani people? We have discussed civil leadership. But in my travels to Pakistan and then right after the earthquake in places very far from Karachi or Islamabad I can see the divide and as well the divide in the tribal areas and whether or not our policy was isolated to Karachi and Islamabad which I think when we think of Pakistan foreign policy that is where Americans are engaged.

So my question, one, is the challenge that we have is the uniqueness of Pakistan, its urban centers and sophisticated middle class and, of course, the large body of individuals who still live on the tribal lands. How do you suppose—and would you say that our burden is more with those in the tribal lands, the emerging Taliban and the insurgents or Al-Qaeda, or is it to protect and convince the middle class that we have a—we, the United States—has a broad-based foreign policy willing to work with them on a broad-based democratic government? My first question.

Ms. CURTIS. I would argue that both are equally important. We need to be engaging with the middle class and looking at getting back to a political process and democracy and working with a wide array of individuals. But, at the same time, we need to look at developing the tribal areas as part of an effort to uproot the terrorist problem there.

I think we talked earlier about this being such a critical area because of the international terrorist threat that is emanating from that area. But it is not going to be a simple or short-lived task of dealing with this problem. And it is going to take targeted military operations, working together with the Pakistanis on this, but also long-term economic development which begins to bring the people—help to modernize the areas and bring some development, education, and also political reform, incorporating these areas into the Pakistani system.

So I would argue that both levels of engagement and particularly assistance is what is needed in the FATA, the tribal areas; and I

think the program to provide \$750 million over 5 years is a good start. I think it is a good starting point to begin with, but we are going to need to be engaged in these areas.

Ms. JACKSON LEE. Is that possible with the present landownership structure? Isn't it owned by major families that own the predominance of land? If you were to talk about an economic infusion, how do you work in the tribal lands, which I understand that most of the land is not owned by those who are on the land?

Ms. CURTIS. Well, I think you have to work through the local government. My understanding is that USAID is working with the FATA secretariat, which is the local administration there. So I think—and particularly where security is an issue, which large parts of that area—you have to rely on the local government and working hand in hand with the local government.

However, I understand that there are Pakistani NGOs who do work in some parts of these areas, and so we can look at working with them as well as we move forward with this program.

So I think it is possible, and I think it will be welcomed once the programs get up and running. I think there will be a possibility of creating employment, helping with livelihoods, providing more education. I know USAID and the Japanese Government are working on a program to build some 130 schools in the FATA.

So we, in fact, have been providing low-level assistance to these areas for several years already, but now the plan is to sort of increase that assistance incrementally, and I think this is the right approach.

Ms. JACKSON LEE. And I hope that, as we do so, one of the I think conflicted situations the United States finds itself in is that we give aid, and no one appreciates it or understands it, that the Pakistani people don't have a sense that we are engaged with them. And I don't know how this effort is moving forward, but I hope that we are ever more aggressive in making sure that we are partnering with the Pakistani people in the tribal areas, that they know that we are a true partner in their improvement.

Dr. Tellis, if I could—and if I did not—was not here for your explanation, this is about the assassination or one of the issues about the assassination of former Prime Minister Bhutto which was more than a shock and a tragedy. Could you comment on the climate that might have created this situation?

And, secondarily, could you comment on how the United States should interact with the new Army Chief of Staff, Kiyani, who I understand is a former associate of the former Prime Minister, and what do we get out of engaging him, if you will, as we look forwards stability and secure elections?

Mr. TELLIS. On the issue of the climate, I think Mrs. Bhutto's return to Pakistan was certainly welcomed by her supporters and was viewed by the administration as in a sense of being at least a partial solution to resolving the questions of political transition.

But it also turned out to be, unfortunately, a very divisive event, because there were social forces in Pakistani society, primarily the Deobandi militant groups that Dr. Fair referred to earlier, that were quite incensed by the idea that she would come back to Pakistan as a quasi partner of the regime and that she could potentially be once again the Prime Minister of Pakistan, being a woman in

a Muslim society. So you had a very frustrating kind of environment.

It is also not clear how some elements of Musharraf's own government responded to the idea of her coming back, and there have been persistent reports in the press about elements that were supported formerly by the intelligence establishment that were deeply uncomfortable with her return. Tariq Ali, the Pakistani historian, phrased it marvelously when he said, "This was a death foretold," because the odds of her surviving what had become a very convulsive political and social process were very low. And it is really tragic that the events transpired in the way that they did.

On the issue of the United States and General Kiyani, by all accounts he is a professional soldier. As best one can tell, he does not show any interest in getting the Pakistan Army involved in the business of governance. That is wonderful news. We ought to strengthen that conviction.

And whatever else we do, we need to work with Kiyani, I think, to advance two objectives: First, of course, a comprehensive implementation of our counterterrorism goals, not going after some groups and giving others a free pass.

Second, and more important, is that we have got to work with him to reestablish certain rules of the game in Pakistani politics. What the last 8 years have done is that they have produced a certain muddying of what the rules of the game are. Nobody quite knows what the status of various constitutional requirements is. The balance of power between the branches of government and even within the executive branch itself in Pakistan is completely confusing. There have been provisional constitutional orders, there have been emergency constitutional orders, all piled upon the constitution. So nobody quite knows how this evolution toward some new, stable democratic regime that we all yearn for is actually going to take place.

Now Kiyani is going to play a critical role in this process, because, as time goes by, he will be one of the key adjudicators. Because, as we discussed earlier, Musharraf is no longer the single locus of power and authority. And so there will be instances when there will be tussles between the Prime Minister and the President. There will be tussles between possibly the courts and the executive branch. And the role that Kiyani plays in this context will be critical.

To the degree that he plays the role that General Karamath did in a previous generation, which is respect for the rules, insistence that everyone plays by a common set of well-understood rules, I think this will be a very, very big step forward on the democratic agenda. And, of course, all the other objectives with respect to terrorism that I telegraphically replied to earlier.

Ms. JACKSON LEE. It saddens me, your description of the climate. Because many of us viewed her as a brilliant leader, but, more importantly, we viewed it as an opportunity for democracy, for all to have an opportunity to be elected.

Let me conclude my questioning by raising this point. I have said it often that I met Musharraf first with President Clinton when he was a general just after the coup as he was emerging. It is interesting that he moved from his general uniform to civilian even

though he remained to be the Army Chief of Staff and that he was characterized as someone—and I believe there is a belief of that today—that was moving Pakistan toward a secular posture, the changing of the educational concept for children and more rights for women.

And you all might want to comment on this. Where did we go wrong in our foreign policy to not further that? And is there not a fear as we go toward these elections—I understand there are candidates that would want to move Pakistan back to a more fundamental Islamic tradition. What role do we play as we go forward, recognizing that there were some value to its previous 8-, 9-year history in secularism?

And, Mr. Chairman, let me also say to you that someone said they were watching your body language and you might be wanting to write legislation. I look forward to working with you on that, if that gentleman was accurate in his perception. Maybe he was not. But I do think that we need to look fully at Pakistan and how best to address the question.

If you all would answer that.

Ms. FAIR. I think it is—particularly now it is so easy to vilify Musharraf. I looked back at his early years, and he did, actually, a lot of very interesting things. Long before 9/11, I noticed that he was interested in madrassah reform. I did quite a bit of work on this madrassah issue while I was at USIP. And one of the things that was very clear to me was that there was in fact a constituency even among the madrassah leadership and administration for reform, for reasons that are quite different than what we wanted. They wanted Ulama who would make decisions that were relevant for a modern Islamic state, which is what they aspire for Pakistan to become.

When the United States began hammering this issue of madrassahs, it sort of sullied the water for those individuals, and it became very difficult for them to do what they were trying to do because now they looked as if they were carrying the water for Washington. I looked at that actually with quite a bit of regret. I will add that in many ways the madrassah threat has been over-hyped; yet the madrassah threat has been underestimated in other ways. We can talk about that perhaps at another time. So this is a really good example of how Musharraf had actually tried to do something but which our own response to it sort of undermined it.

But I think the problem with Musharraf really came around 2004 when it became very clear that he wanted to retain his position as President and Chief of Army Staff. It was clear by 2004 that there was increasing opposition from an expanding number of constituents in Pakistan. And this required Musharraf to make a number of politically compromising decisions that actually hindered his ability to move forward on some of the issues he wanted to. One of my pet peeves is police reform. That was one of the victims. Madrassah reform has been very difficult to conduct under the scrutiny and policy attention of the United States.

So I think where Musharraf really went bad was when he really became vested in being a permanent fixture in Pakistani politics. And that made him take a number of decisions that actually undermined some of the things he thought to do earlier.

One of the enduring legacies of President Musharraf—and I think this is really important—he was one of the first folks to say that not all jihad is good. He actually opened up space in civil society where they could actually talk about some of these militant groups being bad for Pakistan. This was very unprecedented. Now, of course—and he did this not only in English, but he also did it in Urdu.

Ms. JACKSON LEE. Very provocative, yes.

Ms. FAIR. He has had a mixed record. But I think the things that we have chosen to enforce have had a very necrotic effect upon this whole process of change.

Mr. TELLIS. I think Musharraf's personal dispositions represented values that we wanted to see get entrenched in Pakistani society. And there is no question that, especially in the early years, he demonstrated a great deal of political courage in articulating positions that were actually quite uncomfortable to many constituencies in Pakistan. And this is not only in domestic politics but even, for example, in terms of his vision for his relationship with India. He went far beyond what previous Pakistani military regimes and civilian governments went in terms of the peace process. And so what you have is an individual here who in terms of personal disposition really represented something that we would have liked to see become successful. I think part of the issue here was he made great beginnings on many issues but provided very poor follow through and almost invariably incomplete endings.

So there was this meteoric start to things that were begun with great flourish but never quite completed. And in the latter part of the term, his struggle with personal survival and political survival became conflated with the question of the transformation of Pakistan. So, in the beginning, he saw himself as an instrument for transforming Pakistan and making it somewhat different. Towards the end, he unfortunately began to see both these things as identical. And that is when I think he began to lose the kind of grip that created the political problems that we are trying to deal with today.

Ms. CURTIS. Yes. I think it is important to note what he did in terms of media freedoms. I mean, you would hear that when you went to Pakistan. Well, you know, one of the good things that Musharraf has done is opened up the media. And that is what is so tragic now. We have a situation where he is rolling back all of that good work that he had done. The corruption issue also, I think his government was known to not be involved in corruption, which was a refreshing change I think from the governments that we had in the 1990s. And in terms of what he did for the economy, I think you know that is one constituency that is appreciative of Musharraf's policies, and he did strengthen the economy.

And he allowed the Prime Minister Shaukat Aziz to carry through with financial reforms and things that were really beneficial for the economy and the business community. But I think your question was specifically women and children, and here is where I think the importance of those coalitions that do support, you know, protecting equality for women, you know, helping children need to work together. And one example of this was President Musharraf did work with the Pakistan People's Party to get a wom-

en's protection bill passed, which was a very positive step. This happened I think 2 years ago, 1½ years ago. And so this was something—and it showed that when the different constituencies worked together, they can get things done, positive things done for the country. So this was a good example of that. And that is why I think it is so critical to, you know, ensure that the politicians, the liberal thinking parties that want a future for Pakistan, a prosperous Pakistan engaged with the world, that they work together. They come together.

I mean, we are at a crisis point in Pakistan. So it is important for that unity among the people in Pakistan that want to see a progressive positive future for the country work against this extremist threat.

Ms. JACKSON LEE. Well, thank you very much. And I think that it is clear that we have to engage the Pakistani people and ensure democracy. And hopefully we will have legislation that reinforces the growth and opportunities that have been made despite this tragedy. I thank you.

Mr. ACKERMAN. Thank you.

For a brief question, Mr. Scott.

Mr. SCOTT. Thank you for coming back to me, Mr. Chairman, because there is one tidy little tie-up I think we need to make as we end this session, particularly given the elections that are coming up. Can you give us quickly the status of the procedure of the election relative to Musharraf's position? When does he leave? Does the election trigger his leaving? How does that—take me through right quickly what happens. If we have the elections, do they move through? And I have a little follow-up to that.

Ms. FAIR. Very quickly, he was elected through an electoral college. He is not elected directly. There was controversy about which electoral college could actually legally elect him. This is why he is not really out of the hot water yet. So he forced through his re-election through the sitting National Assembly and provincial assemblies. Constitutionally, that is highly debated whether or not that was legal. So to secure that position he actually then put through—and he has done several of these amendments to basically justify the essential illegality that existed with his being both President and Chief of Army Staff. When he removed his uniform, there was still a law that precluded him from simply taking it off today and then standing for elections tomorrow. So there are a number of constitutional issues surrounding his re-election. He sought to protect himself by putting in a number of amendments to the constitution before he formally stepped down.

Now, the problem is that the elections were precooked. The January elections were all set to go. Everyone believed that Pervaiz Elahi was going to be prime minister. Now he has a problem. Because who is going to emerge as prime minister if it doesn't accord with popular sentiment? Should there be a majority, some sort of coalition of opposition members, they can actually go back and strip him, strip those amendments from the constitution that essentially legalize his standing as President. He presently has the right under the eighth amendment to dissolve the National Assembly. I do anticipate, if they have the vote to do it, they are going to strip him of that right.

So the bottom line is, while his election has been nominally secured through the manipulation of the constitution, depending upon the constitution and the National Assembly, he is by no means out of the water. And this is where Kiyani really comes into play because he is going to be, as Dr. Tellis explained, he is going to be brokering multiple interests. The army has a corporate set of interests. They do not want more instability. They do not want to be out engaging in greater strife with their own countrymen. So Kiyani is going to play a pivotal role if in fact these elections produce a National Assembly that is out to get Musharraf. And that is not off the table.

Mr. SCOTT. So even if we have these elections, fair—everybody's in it; Musharraf is still there—we have still got a problem?

Ms. FAIR. Oh, absolutely. Unless they get a quorum to strip the election or even if they get a simple majority, they can still refer the legality of those back to the court. Now the court hasn't been reconstituted. So the justice that stood up to him—and in fact, there are 40-some odd justices have been removed. So even if they referred it back to the court without a reconstitution of the Supreme Court, those amendments would probably still be upheld. But they may also do something to get the Supreme Court reconstituted. So we are going to see I think, depending on the constitution, there is going to be a very quick interest if they have got the numbers to strip Musharraf of some of the powers to dismiss them. In no way do—we are fooling ourselves if we think elections bring security and resolve these issues. They do not. They may even bring up more questions than we can even begin to create at this point.

Mr. SCOTT. So, finally, the point I wanted to get to on this as we end this discussion—and it presents a very big problem to us here in Congress and the American people, especially as we are dealing with our tax dollars, that we are allocating into this situation. And I want to get your thoughts on this because, I mean, we have got \$10 billion since 2001; \$4.5 billion of that for military alone. In 2005, we entered a 3-year deal where we are—about a \$3 billion deal where we were shipping in annual installments of \$600 million split evenly between the military, and with our earthquake relief funds, we have provided enough allocation for fiscal year 2006, it was \$788 million, and an estimated \$793 million was delivered in fiscal year 2007. In other words, that is big money that is going over there. And there is much thought in Congress, and there is a split decision here because there are pros and cons on that word "conditions," that as we move forward, conditions must be met on this. And I am wondering, I would like to get your reactions on this, what are your thoughts on putting conditions or benchmarks or something be done? I mean, this is a very volatile situation which we are putting our dollars; we are putting programs in. Would that be a problem?

Mr. ACKERMAN. Keep your answers brief.

Mr. SCOTT. In conditionings?

Ms. FAIR. I think yes. As I wrote in my testimony, Pakistanis look at us with great dubiety. They look at the cycle of aid and you can see it graphed out. Our aid stops when there is a transition toward civilian leadership. It certainly reinforces the idea that we

see Pakistan or our relationship with it through utilitarian lens. And I am afraid that this is probably not the kind of language that is helpful. I think we do need to give General Kiyani a chance. We do need to give the election a chance. But, most importantly, we do need to restructure our aid portfolio over time. Of that \$10 billion, the ordinary Pakistani has seen very little of it. I am also heartened by the recent initiative to program aid as opposed to giving direct budgetary support.

But I do worry that these discussions of conditionality, as they are heard in Pakistan, reinforce the very pervasive belief that we are very unreliable and that we are only there to use and abuse Pakistan and toss them away when we are finished.

Mr. SCOTT. I see. Okay.

Mr. TELLIS. I concur with that sentiment completely.

Mr. SCOTT. Thank you.

Ms. CURTIS. Yes. I concur as well.

Mr. ACKERMAN. That is very brief. Thank you.

Mr. SCOTT. Thank you very much.

Mr. ACKERMAN. Thank you, Mr. Scott.

I have a question. Well first, it seems to me that President Musharraf is not a guy who goes easily into the night. It also seems to me that it was not illogical to expect that someone who came in to reform the system, modernize the country and do good and positive things, came to a conclusion that if he wasn't there, he couldn't do them. You pair those two together with a determined person, and you get what we have got. I don't think there should be any surprises here. Just looking at the history, if you don't like the Parliament, dissolve the Parliament. If you don't like the Chief Justice, suspend the Chief Justice. If the Supreme Court stands in your way, get rid of the Supreme Court. If the new people get in your way, get rid of them. If you don't like the constitution, rewrite it. And on and on and on again. I don't see how this scenario changes in any significant way if you don't like the results of an election, even in the middle of the election. It seems to me of all the reforms that we have insisted on, the only thing that has been reformed is our list of reforms. We have paired it down to next to nothing. And they are not insisting upon anything.

I have a "so what" question. It goes like this: If we are concerned about President Musharraf being pushed over the edge, I will go back to that, so what? If President Musharraf is cutting survival deals with various leaders of questionable democratic intentions for reasons of survival and they demand that he plays ball and he turns to us and we demand that he play ball with us and give him \$1 million and he turns back to them and then he turns back to us; he seems to think that he can forever pirouette on a soufflé. I don't know how long we should be willing to keep this up. He should be willing to keep it up forever. If we are dealing with a world situation in which we have a tremendous reasonable concern about international terrorists and international terrorism and the falling into their hands of nuclear weapons or nuclear programs—and certainly there is somebody in Pakistan, namely A.Q. Khan, who has information to which we have not necessarily had any direct access, and we don't want to push Musharraf to give us direct access to him because we are worried about pushing him over the

edge—so what? We don't seem to be getting anywhere with anything and falling deeper into the abyss of facing these problems down the road, and we are better off facing them now while the equities might still be in our favor. So what if we push Musharraf? I don't know that he is going to allow himself to be pushed over the edge. I think he might just get a little bit more reasonable. And if he doesn't, so what? It seems to be there are other generals whose phone numbers we have now. And if Musharraf is gone because he went over the edge, does the Taliban come back? I don't think we let that happen. I don't think they let that happen. I don't think anybody lets that happen. Somebody strong enough and smart enough with the right set of ethics and sensitivities is going to be there whether it is the guy who is next or the guy who is next after that. And I think if people understand that we are for real and not just in favor of throwing billions of dollars away and seeing what happens, then somebody has to come to the right conclusions. It is more than looking into the leader's eyes of a different country and seeing his soul and knowing he is a good guy and putting all your chips on him. And then when that doesn't happen, you go back and believe some more. It doesn't seem to be happening, and I am not going to fall into a trap of calling anything a fairy tale. But something is wrong here. So my question is, so what?

Ms. FAIR. You know what? I actually very much agree with you. As Ms. Curtis said, he is a declining asset. He is a transitional character. In terms of cooperation on counterterrorism and counterinsurgency, it is the Chief of Army Staff that matters. He will decide whether or not engagement in terms of counterinsurgency operations benefit the army and the armed forces corporately as well as the nation. And I do believe that prime ministers can be compelled to do what is in their national interest by having partners whose job it is to shape the benefit frontier they face. In other words, they will do what is in their interest, and it is up to us to make that interest coincide with ours. There was a huge tendency to dismiss Nawaz Sharif as an Islamist and similar unsavory terms. Yet under Nawaz Sharif, Pakistan became poppy-free. There was very good cooperation with DEA. He agreed to send commandos in to get bin Laden into Afghanistan. It was Musharraf that turned that back. He was the one that told Musharraf, "Get your boys from the NLI, get them from the heights of Kargil to preempt a larger war." The only thing he didn't deliver on was when he couldn't deliver on, and that was the nuclear test. So I am optimistic that after these elections a person is going to emerge, and they can be persuaded to do what is in their national interest. There are many sources of power at this point that could possibly emerge. It is up to us to be engaging those. I do think Musharraf is a declining asset. I think he knows that. I think all the major institutions in Pakistan know that. I think Washington is really the only place where he seems to have any credibility at this point.

Mr. ACKERMAN. I don't know about declining assets, but we seem to have given this guy a subprime mortgage, and we keep paying for it.

Mr. Tellis.

Mr. TELLIS. I think we are coming to the point where, if he departs the scene, it would have no material consequence to how we pursue our interests. Having said that, however, I think his presence for a while longer is necessary because there are issues of transition that have to be resolved in the weeks and months ahead that require his presence. And so my argument has always been, whatever decisions we make about supporting Musharraf, we don't have to make those decisions just now. What we ought to do is focus on the electoral process, make certain that it is credible, let nature take its course. If you get a government that fairly represents Pakistani preferences, that will automatically serve to constrain Musharraf. Let me say one other thing, though. I think you are asking the question in a way that you did is supremely important. It is extremely important because at the very least it should give him pause that the United States might reach the conclusion that it could survive without his presence in office. Because I think we have never asked this question publicly or credibly, I think he has drawn the conclusion that the U.S. has no alternative but to deal with me because I am the only ticket they have toward achieving their objective. And so I think asking the question irrespective of whether we act upon it or not has a value itself.

Mr. ACKERMAN. We will send him the transcript.

Final response, Ms. Curtis.

Ms. CURTIS. I would agree that all logic points to a rigged election at this point. However, there are a couple of differences with regard to Musharraf. He is no longer the Chief of Army Staff. That is a major change in his status within Pakistani decision making. His popularity has declined even more—the emergency. It declined after the mishandling of Bhutto's assassination. So he is at a point where he is vulnerable. And it is my view that the U.S. should use that opportunity to pressure him for free polls. But I would agree with you that all logic at this moment points to an unfair election. To a certain degree, sir, we have to let Pakistan work out its own problems. And this is where I would agree with Dr. Tellis, that you know there is no need to yank our support for anybody or to abruptly change our policies right now. I think the best thing we can do is to keep encouraging the democratic process, free and fair elections, and be ready for whatever result that we find ourselves in next month.

Mr. ACKERMAN. The Chair and the entire committee thank the witnesses for their patience, for their participation in this marathon subcommittee hearing. Your testimony and wisdom have been invaluable. Thank you. And thank the members of the subcommittee who we had here in great numbers today at one point or another showing the interest both to the subject and the respect they have for our particular witnesses today. The subcommittee stands adjourned.

[Whereupon, at 6:22 p.m., the subcommittee was adjourned.]

## A P P E N D I X

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### MATERIAL SUBMITTED FOR THE HEARING RECORD

#### PREPARED STATEMENT OF THE HONORABLE SHEILA JACKSON LEE, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF TEXAS

Thank you, Mr. Chairman, for convening today's important and extremely timely hearing. Over the past several weeks, we have all been extremely concerned about events unfolding in Pakistan, and I hope we can work together to ensure a bright future for U.S.-Pakistan relations. I would like to take this opportunity to thank the Committee's Ranking Member, and to welcome our distinguished panel of witnesses: Dr. Christine Fair, Senior Political Scientist, Rand Corporation; Dr. Ashley J. Tellis, Senior Associate, Carnegie Endowment for International Peace; and Lisa Curtis, Senior Research Fellow, Asian Studies Center, The Heritage Foundation. I look forward to your informative testimony.

Pakistan continues to be an important ally in the global fight against terrorism. I am particularly worried about the security of Pakistan's leaders and people, and I believe that we must examine the measures that are being undertaken to ensure their safety. As Co-Chair of the Congressional Pakistan Caucus, I have long advocated the need to ensure that Pakistan is stabilized, and that its leaders and people are protected.

As my colleagues are aware, former Pakistani Prime Minister Benazir Bhutto was assassinated on December 27, 2007, as she left a peaceful political rally, in an attack which also killed over 20 innocent bystanders. Her death came at a particularly critical time in the Pakistani political process, only two months after Ms. Bhutto returned to Pakistan from exile and was immediately attacked in a suicide bombing that killed over 130 people, and just over two weeks before Pakistan's democratic elections were scheduled to occur.

The assassination of Ms. Bhutto is a horrific tragedy for Pakistan and the world. It is essential that her killers be brought to justice immediately. Pakistan stands on the verge of momentous national elections, now scheduled to occur on February 18, 2008. Pakistan has seen serious political instability throughout the past year, weathering approximately 60 suicide bomb attacks, which killed nearly 800 people over the course of the year, in what has been called the worst political crisis since General Musharraf assumed power in a 1999 military coup.

Even before the assassination of Ms. Bhutto, the Pakistani political system weathered a serious blow in November, when President Musharraf suspended the country's constitution and assumed emergency powers under a State of Emergency, citing the deteriorating security situation. With the support of a number of my colleagues, I introduced H.Res. 810, legislation opposing emergency rule in Pakistan, and calling for a return to constitutional order, the release of detained dissidents, and the restoration of basic civil and human rights, and calling for a diplomatic team, comprised of representatives from the State Department and the Department of Defense, to negotiate firmly with President Musharraf on the issue of termination of the state of emergency. I also repeatedly issued a call for better security for Ms. Bhutto.

On October 18, Benazir Bhutto returned to Pakistan over eight years of self-imposed exile. Ms. Bhutto was greeted with hundreds of thousands of supporters, cheering her return to her homeland. Within hours of her arrival, however, two blasts were detonated near her motorcade. Though on that occasion Ms. Bhutto escaped unharmed, approximately 145 innocent bystanders were killed. Following this attack, I wrote to Secretary of State Condoleezza Rice, asking that the State Department look into the security measures being provided for Ms. Bhutto and other Pakistani political leaders.

After sustained international criticism, President Musharraf lifted the state of emergency on December 15, and elections were slated for January 8, 2008. Ms. Bhutto and other opposition leaders and activists cited numerous concerns over the credibility of the planned elections, concerns which were heightened by the events transpiring under the State of Emergency. The United States has sent over \$26 million in aid to Pakistan, devoted to bilateral and multilateral democracy-related programs.

Following Ms. Bhutto's assassination, the Pakistani Election Commission decided to postpone the polls until February 18th. Pakistan is now on the cusp of momentous national elections. I believe it is of the utmost importance that these elections be free, transparent, and open, and I call for the involvement of the United Nations and other reasonable international organizations. If these upcoming elections are tainted, the hopes of democracy in that region will suffer tremendously.

Pakistan continues to be a key ally in the global struggle against terrorism, with Pakistan's strategically important location and the support of President Musharraf playing a decisive role in helping to remove the Taliban regime from Afghanistan, and Pakistan capturing hundreds of suspected al-Qaeda terrorists. A stable Pakistan, moving toward true democracy, is in the interest of the United States.

Our Pakistani allies have been standing on the frontlines of the global fight against terrorism. According to the United States Department of State, Pakistan currently has 85,000 troops stationed along the border with Afghanistan. Richard A. Boucher, Assistant Secretary of State for South and Central Asian Affairs, recently noted that Pakistan has 'captured more al-Qaeda than any country in the world, and lost more people doing that.' Pakistani authorities have also killed or captured several top Taliban commanders in this area in recent months.

Pakistan faces an omnipresent threat of Islamist extremism and militancy, and the menace has blossomed since 2001, reaching unprecedented levels in 2007. In July, a 20-hour battle at Islamabad's Red Mosque ended with the defeat of Islamist radicals barricaded inside the holy building. Currently, the government faces armed rebellions in two of the country's four provinces, as well as in the Federally Administered Tribal Areas (FATA). U.S. officials have expressed ongoing concern that Al Qaeda operatives and other terrorists remain active on Pakistani soil, particularly in the FATA. In December, Defense Secretary Robert Gates stated "Al Qaeda right now seems to have turned its face toward Pakistan and attacks on the Pakistani government and Pakistani people."

Despite the undeniable turbulence of recent months, Pakistan has made important strides toward democracy. After much criticism, President Musharraf resigned from the army and was sworn in as a civilian President on November 29, 2007. However, while Pakistan under President Musharraf has been an instrumental ally to the United States in our war on terror, this alone cannot deter us from strongly urging President Musharraf to improve his government's human rights record, ensure the maintenance of constitutional order, encourage a free press and safety for journalists, and ensure that elections are free, fair, and timely.

Mr. Chairman, thank you for convening today's hearing. I look forward to today's informative testimony, and to working with my colleagues to ensure that the United States continues to work with our Pakistani counterparts in support of freedom and democracy, and against our common enemy of extremism.

Thank you, Mr. Chairman. I yield back the balance of my time.

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PREPARED STATEMENT OF THE HONORABLE JOE WILSON, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF SOUTH CAROLINA

Thank you, Chairman Ackerman, for holding this hearing on US-Pakistani relations.

There are many points of interest I hope will be addressed in today's hearing, but, certainly, the recent assassination and death of former Prime Minister Benazir Bhutto is one we must examine closely. On a personal note, my wife Roxanne and youngest son Hunter had the privilege of meeting with Ms. Bhutto during a visit she made to Lexington, South Carolina, several years ago. Additionally, I had breakfast with her at her home in Islamabad with Congressmen David Dreier and Darrell Issa in November during a CODEL to South Asia—four weeks prior to her murder. I was tremendously impressed with her passion for the principles of democracy and dedication to seeing democracy spread throughout Pakistan and the region. No doubt, these are principles her assassins were determined to stop, and that is why it is imperative we frame today's discussion with an appreciation of the global consequences of our relationship with Pakistan and, most notably, President Pervez Musharraf who himself has been a victim of at least three assassination attempts.

Pakistan remains a vital partner in the Global War on Terrorism, and it is in the best interests of our nation's national security, and that of our allies around the world, that the Pakistani people are able to have a stable government and peaceful society.

Again, I wish to thank Chairman Ackerman and my fellow committee members for this opportunity to discuss a topic that is vital to our national security and strategic standing in the world. I look forward to today's testimony.

